

DRAFT: December 18, 2023

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REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

**BOLD TEXT: NEW LANGUAGE**

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Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

***Summary: Amends Washoe County Code Chapter 110 (Development Code) in Division Three – Regulation of Uses to update regulations relating to accessory dwelling units, detached accessory structures, manufactured housing, and battery-charged fences.***

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

Title:

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE) BY MODIFYING VARIOUS SECTIONS IN DIVISION THREE-REGULATION OF USES AND DIVISION FOUR-DEVELOPMENT STANDARDS, IN ORDER TO UPDATE REGULATIONS RELATED TO ACCESSORY DWELLING UNITS, DETACHED ACCESSORY STRUCTURES, MANUFACTURED HOUSING, AND BATTERY-CHARGED FENCES. THESE UPDATES INCLUDE DELETING A SECTION SPECIFYING THE PROCEDURE AND FINDINGS FOR PLACING A MANUFACTURED HOME THAT IS LESS THAN 1,200 SQUARE FEET IN SIZE; AND MODIFYING VARIOUS SECTIONS TO: ALLOW DETACHED ACCESSORY DWELLING UNITS AS AN ALLOWED USE BY RIGHT IN CERTAIN RESIDENTIAL REGULATORY ZONES; REQUIRE DETACHED ACCESSORY DWELLING UNITS ON PARCELS ½ ACRE IN SIZE OR SMALLER TO BE SUBJECT TO THE ADMINISTRATIVE REVIEW PERMIT PROCESS IN ARTICLE 809; UPDATE THE MAXIMUM SQUARE FOOTAGE FOR BOTH ATTACHED AND DETACHED ACCESSORY DWELLING UNITS; DEFINE "MINOR ACCESSORY DWELLING UNIT"; MODIFY PERMITTING REQUIREMENTS FOR DETACHED ACCESSORY STRUCTURES; UPDATE THE MINIMUM SQUARE FOOTAGE FOR MANUFACTURED HOMES; AND ADD PROVISIONS RELATED TO BATTERY-CHARGED FENCES AS REQUIRED BY NV SB 208 (2023); AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

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WHEREAS:

- A. This Commission desires to amend the Washoe County Development Code (Chapter 110 of the Washoe County Code) at Article 302 Allowed Uses, Article 304 Use Classification System, Article 306 Accessory Uses and Structures, Article 312 Fabricated Housing, and Article 406 Building Placement Standards, in order to update regulations relating to accessory dwelling units, detached accessory structures, manufactured housing, and battery-charged fences, and
- B. The Washoe County Board of County Commissioners initiated some of the proposed amendments to Washoe County Code Chapter 110 related to accessory dwelling units and manufactured housing on November 14, 2023; and
- C. The amendments and this Ordinance (DCA23-0004) were drafted in concert with the District Attorney's Office; and
- D. The Washoe County Planning Commission held a duly noticed public hearing for DCA23-0004 on January 2, 2024, and initiated the proposed amendments to Washoe County Code Chapter 110 (Development Code) in the Articles identified in Paragraph A, above, by Resolution Number 24-05; and
- E. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- F. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Section 110.312.30 of Chapter 110 of the Washoe County Code is hereby deleted in its entirety.

Section 2. Section 110.302.05 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

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**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 Agricultural is indicated as "GRA."

Table 110.302.05.1

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

<b>Residential Use Types</b> (Section 110.304.15)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Family Residential																		
Duplex	--	--	--	P	P	P	P	P	A	--	S <sub>2</sub>	--	--	--	--	--	--	--
Multi Family	--	--	--	--	--	--	P	P	A	--	S <sub>2</sub>	--	--	--	--	--	--	--
Single Family, Attached	--	--	--	A	A	A	A	A	A	--	S <sub>2</sub>	--	--	--	P	--	--	A

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Single Family, Detached	A	A	A	A	A	A	A	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	--	--	--	P	--	A	A
Attached Accessory Dwelling	A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	A	A
<del>Detached Accessory Dwelling</del>	AR	AR	AR	AR	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	A	A
<b>Detached Accessory Dwelling</b>	<b>A'</b>	<b>A'</b>	<b>A'</b>	<b>A'</b>	<b>AR</b>	--	--	--	--	--	--	--	--	--	--	--	<b>A'</b>	<b>A'</b>
Detached Accessory Structure	A	A	A	A	A	A	A	A	A	--	A	--	--	--	--	--	A	A
Non-municipal Air Strips and Glider Ports (Accessory Use)	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	S <sub>2</sub>	--
Personal Landing Field (Accessory Use)	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	S <sub>2</sub>	--
Manufactured Home Parks	*	*	*	*	*	S <sub>2</sub>	S <sub>2</sub>	*	*	--	--	--	--	--	--	--	*	--
Group Home	A	A	A	A	A	A	A	A	A	--	S <sub>2</sub>	--	--	--	P	--	A	A
Short-Term Rental (see Article 319)	Note: All of the below STR Tiers require the issuance of an STR permit, regardless of required review process.																	
Tier 1	A	A	A	A	A	A	A	A	A	A	A	A	--	--	--	--	A	A
Tier 2	AR	AR	AR	AR	AR	AR	AR	AR	AR	A	AR	A	--	--	--	--	AR	AR
Tier 3	--	--	--	--	--	--	--	--	--	S <sub>1</sub>	S <sub>1</sub>	S <sub>1</sub>	--	--	--	--	--	--

Key: -- = Not allowed; A = Allowed; AR = Administrative Review; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit; \* = Allowed with a Board of Adjustment Special Use Permit in areas designated Trailer (TR) Overlay zone prior to adoption of this Development Code, **A'** = **Administrative Review required on parcels half an acre or smaller.**

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

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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/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Administrative Services	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Childcare																		
Family Daycare	A	A	A	A	A	A	A	A	A	--	A	--	--	--	--	--	A	A
Large-Family Daycare	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	P	--	--	--	--	--	P	S <sub>2</sub>
Child Daycare	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	P	P	P	S <sub>2</sub>	--	S <sub>2</sub>	--
Communication Facilities																		
Commercial Antennas	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>	--	--	S <sub>2</sub>	--
Satellite Dish Antennas	See Article 324																	
Wireless Communication Facilities	See Article 324																	
Community Center	--	--	--	--	--	--	P	P	P	A	S <sub>2</sub>	A	--	A	A	--	--	--
Community Garden	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Convalescent Services	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	P	P	S <sub>2</sub>	--	--	P	--	--	--	--
Cultural and Library Services	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	A	A	--	A	A	--	A	S <sub>2</sub>
Education																		
Private School Facilities	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>
Public School Facilities	A	A	A	A	A	A	A	A	A	A	A	A	--	A	A	--	A	A
Group Care Facility	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	--	--	--	--	--	S <sub>2</sub>	--
Hospital Services	--	--	--	--	--	--	--	--	--	A	S <sub>2</sub>	--	--	A	--	--	--	S <sub>2</sub>
Major Services and Utilities																		
Utility Services	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--
Major Public Facilities	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	--
Nature Center	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	S <sub>2</sub>	--
Parks and Recreation																		
Active Recreation	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	A	A	--	PR	S <sub>2</sub>
Passive Recreation	A	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	--	--	--	--
Public Service Yard	--	--	--	--	--	--	--	--	--	--	--	--	A	S <sub>2</sub>	--	--	S <sub>2</sub>	A
Religious Assembly	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	P	P	P	P	--	S <sub>2</sub>	A
Safety Services	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit

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

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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/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
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 <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	--	--	S <sub>2</sub>	S <sub>2</sub>
Commercial Stables	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>
																	*See Article 226 for Warm Springs parcels.	
Dog Training Services (see Article 330)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Grooming and Pet Stores	--	--	--	S <sub>2</sub>	A	A	--	--	--	--	--	--	--					
Pet Cemeteries	P	P	P	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	A	--	--	P	--
Veterinary Services, Agricultural	P	P	P	P	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>
Veterinary Services, Pets	--	--	--	S <sub>2</sub>	A	A	--	P	--	--	--	--	S <sub>2</sub>					
Automotive and Equipment																		
Automotive Repair	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--
Automotive Sales and Rentals	--	--	--	--	--	--	--	--	S <sub>2</sub>	A	A	A	A	--	--	--	--	--
Cleaning	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	A	--	--	--	--	--
Commercial Parking	--	--	--	--	--	--	P	P	P	A	A	A	A	P	--	--	--	--
Equipment Repair and Sales	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	A	--	--	--	--	--
Fabricated Housing Sales	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Storage of Operable Vehicles	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	A	--	--	--	--	--
Truck Stops	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--
Building Maintenance Services	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Commercial Centers																		
Neighborhood Centers	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	P	P	P	A	A	A	A	--	--	--	--	--
Community Centers	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--
Regional Centers	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	--	--	--	--	--	--
Commercial Educational Services	--	--	--	--	--	--	P	P	P	A	A	--	A	A	--	--	--	--
Commercial Recreation																		
Commercial Campground Facilities/RV Park	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>
Destination Resorts	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>
Indoor Entertainment	--	--	--	--	--	--	--	--	--	A	P	A	--	P	--	--	--	--
Indoor Sports and Recreation	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	P	S <sub>2</sub>	P	P	--	--	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit

\* The provisions listed in Table 110.302.05.3 requiring a special use permit for Commercial Stables [as defined in Section 110.304.25(c)(2)] in GR and GRA are hereby modified to be consistent with Article 226, Warm Springs Area.

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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/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Limited Gaming Facilities	--	--	--	--	--	--	--	--	--	P	P	P	S <sub>2</sub>	--	--	--	--	--
Marinas	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	--	P	S <sub>2</sub>
Outdoor Entertainment	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	--	--	--
Outdoor Sports and Recreation	S <sub>2</sub>	P	P	P	P	S <sub>2</sub>	P	--	P	S <sub>2</sub>								
Outdoor Sports Club	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	P	--	S <sub>2</sub>	S <sub>2</sub>
Unlimited Gaming Facilities	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--
Construction Sales and Services	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	A	--	--	--	--	--
Continuum of Care Facilities, Seniors	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--	--						
Convention and Meeting Facilities	--	--	--	--	--	--	--	--	--	P	P	P	--	P	S <sub>2</sub>	--	--	--
Data Center	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	S <sub>2</sub>	--	--	S <sub>2</sub>	--
Eating and Drinking Establishments																		
Convenience	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	P	--	--	--	--	--
Full Service	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	P	--	--	--	--	--
Financial Services	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	P	--	--	--	--	--
Funeral and Internment Services																		
Cemeteries	P	P	P	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	A	--	--	P	S <sub>2</sub>
Undertaking	--	--	--	--	--	--	--	--	--	A	A	--	--	--	--	--	--	--
Gasoline Sales and Service Stations	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	A	A	--	--	--	S <sub>2</sub>	--
Helicopter Services																		
Helipport	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	S <sub>2</sub>	--	--	S <sub>2</sub>	--
Helistop	S <sub>2</sub>	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--				
Liquor Manufacturing	--	--	--	--	--	--	P	P	P	A	P	A	A	--	--	--	--	--
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 <sub>2</sub>	--	P	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>									
Condominium Hotel	--	--	--	--	--	--	--	--	--	A	S <sub>2</sub>	A	--	--	--	--	--	--
Hostels	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	--
Hotels and Motels	--	--	--	--	--	--	--	--	--	A	S <sub>2</sub>	A	--	--	--	--	--	--
Vacation Time Shares	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit

DRAFT: December 18, 2023

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/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Marijuana Establishments																		
Marijuana Cultivation Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Marijuana Product Manufacturing Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Marijuana Testing Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Retail Marijuana Store/ Medical Dispensary	--	--	--	--	--	--	--	--	--	A	A	A	A	--	--	--	--	--
Marijuana Distributor	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Medical Services	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	A	--	--	A	--	--	--	--
Nursery Sales																		
Retail	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Wholesale	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	A	--	--	A	--	--	--	S <sub>2</sub>	A
Personal Services	--	--	--	--	--	--	P	P	P	A	A	A	A	A	--	--	--	--
Personal Storage	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	A	S <sub>2</sub>	--	A	--	--	--	--	--
Professional Services	--	--	--	--	--	--	P	P	P	A	A	--	P	--	--	--	--	--
Recycle Center																		
Full Service Recycle Center	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	A	--	--	--	--	--
Remote Collection Facility	S <sub>2</sub>	P	P	P	P	P	P	A	P	P	--	--	--					
Residential Hazardous Substance Recycle Center	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	--	--	--	--
Repair Services, Consumer	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Retail Sales																		
Convenience	--	--	--	S <sub>2</sub>	A	A	A	A	--	--	--	--	--					
Specialty Stores	--	--	--	--	--	--	--	--	--	A	P	A	--	--	--	--	--	--
Comparison Shopping Centers	--	--	--	--	--	--	--	--	--	A	--	A	--	--	--	--	--	--
Secondhand Sales	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	--	--	--
Transportation Services	--	--	--	--	--	--	--	--	--	A	A	A	A	--	--	--	--	--
Winery	A	A	A	P	P	--	--	--	--	--	--	--	--	--	--	--	A	A
Winery with Special Events	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit

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

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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/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA	SP	
Aggregate Facilities																				
Permanent	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	S <sub>2</sub>	--	--	
Temporary	See Article 332																			
Caretaker's Residence																				
Attached	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Detached	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	SP	
Custom Manufacturing	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	A	--	--	--	S <sub>2</sub>	--	SP	
Energy Production																				
Non-Renewable*	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>	--	--	
Renewable*	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	SP	
General Industrial																				
Limited	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Intermediate	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--	
High Technology Industry	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	--	A	--	--	--	S <sub>2</sub>	--	SP	
Inoperable Vehicle Storage	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	SP	
Laundry Services	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--	SP	
Mining Operations	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	S <sub>2</sub>	--	--	
Petroleum Gas Extraction	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	S <sub>2</sub>	--	--	
Salvage Yards	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--	
Wholesaling, Storage and Distribution																				
Light	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit

Note: \* If a special use permit for an energy production project meets the criteria for a project of regional significance, that special use permit will be reviewed by the Washoe County Planning Commission.

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

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Table 110.302.05.5

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

<b>Agricultural Use Types (Section 110.304.15)</b>	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Agricultural Processing	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	S <sub>2</sub>	A
Agricultural Sales	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	A	--	--	A	--	--	--	S <sub>2</sub>	A
Animal Production	A	A	A	A	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	A	A
Animal Slaughtering, Agricultural	A	A	A	A	--	--	--	--	--	--	--	--	--	--	A	A	A	A
Animal Slaughtering, Commercial	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--
Animal Slaughtering, Mobile	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>
Crop Production	A	A	A	A	A	--	--	--	--	A	A	--	--	--	PR	A	A	A
Forest Products	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	P	--
Game Farms	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>
Produce Sales	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	--	--	A	A

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit

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

SECTION 3. Section 110.304.15 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.304.15 Residential Use Types. Residential use types include the occupancy of living accommodations, but exclude institutional living arrangements providing twenty-four-hour skilled nursing, custodial or medical care and those providing forced residence, such as asylums and prisons.

(a) Family Residential. The family residential use type refers to the occupancy of living quarters by one (1) or more families. The following are family residential use types:

(1) Attached Accessory Dwelling Unit. An attached accessory dwelling unit is a portion of or an addition to a single-family main dwelling that has been designed or configured to be used as a separate and independent dwelling unit. An attached accessory dwelling unit includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but may also include living, sleeping, and eating facilities, all separated from the main unit by walls or ceilings and accessed through a lockable exterior or interior door. **Except in the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed ~~forty (40)~~ fifty (50) percent of the total square footage of the main dwelling unit or 1,000 1,500 square feet, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 1,200 square feet, whichever is smaller.** The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. An attached accessory

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dwelling may be created by converting part of, or adding on to, an existing single family main dwelling. To be considered attached, the accessory dwelling unit must abut (i.e. be on the opposite side of a wall or ceiling) the habitable space of the main dwelling, or the ceiling of a garage attached to the main dwelling. Incidental and accessory features such as trellises, decks, patios, breezeways, or tool sheds will not be considered as establishing an attached structure/dwelling. Typical uses include guest rooms, guest apartments and "granny flats."

- (2) Detached Accessory Dwelling Unit. A detached accessory dwelling unit refers to a dwelling unit on the same lot as the main dwelling unit, but which is physically separated from the main dwelling unit. A detached accessory dwelling unit –is designed and configured to provide independent living facilities for one or more persons, and includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but which may also include living, sleeping, and eating facilities. Except in the Medium Density Suburban (MDS) Regulatory Zone, a detached accessory dwelling unit shall not exceed fifteen hundred (1,500) square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed ~~eight~~ **twelve** hundred (~~800~~) **(1,200)** square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. Typical uses include guest houses, second units, "granny flats" and caretaker's quarters.
- (3) Detached Accessory Structure. A detached accessory structure refers to a building or structure on the same lot as the main residential structure and devoted to a use incidental to that main residential structure. A detached accessory structure is not designed, configured, or used for human habitation. The detached accessory structure may be connected to water and wastewater systems subject to the recordation of a deed restriction prohibiting the use of the structure as a dwelling unit. Installation of both a kitchen (as defined in Article 902) and a toilet in a detached accessory structure shall render the structure as a dwelling unit and subject to the accessory dwelling unit provisions. Typical uses include storage buildings and sheds, barns and detached garages.
- (4) Duplex. Duplex refers to the use of a parcel for two (2) dwelling units in a single structure.
- (5) Multi-Family. Multi-family refers to the use of a parcel for three (3) or more dwelling units within one (1) or more buildings, including condominium developments.
- (6) Single Family, Attached. Single family attached refers to two (2) or more dwelling units constructed with a common or abutting wall with each located on its own separate parcel.
- (7) Single Family, Detached. Single family detached refers to the use of a parcel for only one (1) dwelling unit.
- (8) Minor Accessory Dwelling Unit. **A minor accessory dwelling unit refers to a type of detached accessory dwelling unit that is under five hundred (500)**

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square feet. A minor accessory dwelling unit is designed and configured to provide independent living facilities for one or more persons, and includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but which may also include living, sleeping, and eating facilities. The minor accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 500 square feet, whichever is smaller. Typical uses include guest houses, second units, "granny flats" and caretaker's quarters.

- (b) Manufactured Home Parks. Manufactured home parks use type refers to the occupancy of a dwelling unit defined as a mobile home or a manufactured home and which is located in a site defined as a manufactured home park.
- (c) Group Home. Group home use type refers to the occupancy of a single-family dwelling by and the care for a group of ten (10) or fewer persons on a weekly or longer basis who are not defined as a family. The number of persons who reside in a group home excludes any caregivers and their family who also reside in the single-family residence.
  - (1) This term includes specifically the following uses:
    - (i) Residential facility for groups; or
    - (ii) Home for individual residential care;
    - (iii) Halfway house for recovering alcohol or drug abusers;
    - (iv) Group foster home.
  - (2) The term group home does not include a childcare institution or a facility for transitional living for released offenders.
- (d) Short-term rental. Short-term rental (STR) refers to existing single-family dwelling units where, for compensation, lodging is provided within either the entire home or a portion of the home for a rental period of less than 28-days. STRs may be permitted to operate out of legally permitted, permanent dwelling units or accessory dwelling units in accordance with the standards within Article 319. Short-term rentals are distinguishable from commercial lodging use types in that no meals may be provided within short-term rentals as part of the rental agreement and the home may only be rented out for short-term rental use to one group at a time. STRs are also often referred to as vacation rentals and are commonly made available through property management companies or online booking platforms. The following are short-term rental use types:
  - (1) Tier 1 Short-Term Rental. A Tier 1 STR has a maximum occupancy of 10 persons or fewer.
  - (2) Tier 2 Short-Term Rental. A Tier 2 STR has a maximum occupancy of 11-20 persons and due to its higher occupancy, may require additional limitations to ensure compatibility with surrounding residential properties.
  - (3) Tier 3 Short-Term Rental. A Tier 3 STR has a maximum occupancy of 21 or more persons. This highest tier of STRs is still operated out of a pre-existing dwelling unit, but due to the high number of occupants, is expected to have more significant impacts to surrounding properties. As a result, it is considered inappropriate to be located in residential regulatory zones but may be appropriate

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on properties with commercial regulatory zones that are located nearer tourist and commercial services.

SECTION 4. Section 110.306.10 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

**Section 110.306.10 Detached Accessory Structures.** Detached accessory structures are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. The following development requirements shall apply to detached accessory structures:

(a) Lot Coverage. The establishment of detached accessory structures shall not exceed the following lot coverage limitations:

- (1) On lots in the High-Density Suburban (HDS) and Medium Density Suburban (MDS) Regulatory Zones, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 50 percent of the total lot acreage;
- (2) On lots in the Low-Density Suburban (LDS) Regulatory Zones, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 25 percent of the total lot acreage;
- (3) On lots in the High Density Rural (HDR) Regulatory Zone, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 20 percent of the total lot acreage;
- (4) On lots in the Medium Density Rural (MDR) Regulatory Zone, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 15 percent of the total lot acreage;
- (5) On lots in the Low Density Rural (LDR) Regulatory Zone, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed ten percent of the total lot acreage or 80,000 square feet, whichever is less;
- (6) Exemptions to lot coverage limitations. Parcels 40 acres in size or larger in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and all parcels in the Commercial, Industrial, and Urban Regulatory Zones, are exempt from the lot coverage limitations of this section.
- (7) On legal non-conforming lots, when the lot size does not meet the minimum lot size for the actual regulatory zone applicable to the lot, the allowed lot coverage under this section will be based on the regulatory zone thresholds set forth in this section for the next densest regulatory zone for which the actual lot size does meet the minimum lot size requirements.

(b) Setbacks.

- (1) Accessory structures 12 feet in height or less may be located within the required rear and side yard setbacks provided they are five feet or more from the rear and side property line. The height of an accessory structure located within the required rear and side yard setback as provided in this subsection shall be measured from the lowest finished grade of the structure to the average height of the highest gable of a pitched or hipped roof. Except as otherwise specifically

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- provided, all accessory structures are prohibited within the required front yard setback.
- (2) Accessory structures more than 12 feet in height shall comply with the yard setbacks for the main dwelling units stipulated in Article 406, Building Placement Standards. Except as otherwise specifically provided, no accessory structure shall exceed 35 feet in height.
- (c) Height Limits. The height of an accessory structure located outside of all required setbacks shall be measured in accordance with the building height provision in Article 902 of this Code.
- (d) Size. Permitting Requirements. A proposal to establish a detached accessory structure ~~that is larger (i.e. has more square footage or a larger building footprint) than the existing main structure shall require the approval of an Administrative Permit (pursuant to Article 808), to include review of building height and architectural compatibility with surrounding dwellings, prior to the issuance of a building permit shall meet the following requirements:~~
- (1) A detached accessory structure on parcels half an acre or less can be 1,200 SF or smaller in size;
  - (2) A detached accessory structure on parcels larger than half an acre but smaller than or equal to 1 acre can be 2,500 SF or smaller in size;
  - (3) A detached accessory structure on parcels larger than 1 acre but smaller than or equal to 5 acres can be 5,000 SF or smaller in size;
  - (4) A detached accessory structure on parcels larger than 5 acres can be 7,500 SF or smaller in size;
  - (5) An Administrative Review Permit (pursuant to Article 809) is required for any detached accessory structure less than or equal to 50% larger than the above allowed-by-right square footages (e.g. up to 1,800 SF on parcels half an acre or less, etc.);
  - (6) An Administrative Permit (pursuant to Article 808) is required for any detached accessory structure more than 50% larger than the above allowed-by-right square footages (e.g. over 1,800 SF on parcels half an acre or less, etc.);
  - (7) Parcels 40 acres in size or larger in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and all parcels in the Commercial and Industrial Regulatory Zones, are exempt from ~~this~~ a maximum size requirement; and
  - (8) Detached accessory structures shall not have reflective siding or roofing materials. Review of discretionary permits for detached accessory structures should consider the structure's neighborhood and residential compatibility, potentially including but not limited to, siding material, roofing material, structure articulation, structure height, and structure location.
- (e) Location/Slopes. A detached accessory structure used as a private garage on any interior lot where the slope of the front half of the lot is greater than a two foot rise (or fall) for every ten feet above (or below) the established street grade may be built to the property line, provided such structure shall not exceed 15 feet in interior height when

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measured from parking surface and providing the Engineering Division has been able to determine that:

- (1) 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;
  - (2) 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
  - (3) 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 Master Plan.
- (f) Building Setback. A detached accessory structure shall not be located closer than ten feet to any main building on an adjoining parcel.
- (g) Cargo Containers. Cargo containers, as defined within Article 902, Definitions, may be established as a detached accessory structure for the sole purpose of storage subject to the provisions below.
- (1) All cargo containers must adhere to the following regulations:
    - (i) Must meet all Washoe County placement standards for a detached accessory structure.
    - (ii) Only one cargo container of not more than 200 square feet of floor space shall be allowed on a parcel of land less than one-half acre in size; two cargo containers of any size shall be allowed on a parcel of land between one half acre and five acres in size. Parcels larger than five acres are limited to one container (of any size) per acre or portion thereof.
    - (iii) The cargo container shall be painted one, solid, muted color that blends with the surrounding vegetation, structures or topography.
    - (iv) All cargo containers shall be free from severe damage, shall not be structurally altered, and shall be free from severe rust. The Director of the Planning and Building Division shall have the authority to determine if these standards have been met.
      - a. A cargo container may potentially be used as structural support for other elements of a detached accessory structure as long as the container is not structurally altered; the overall design has been stamped by a qualified engineer; and a building permit is obtained for the overall structure.
    - (v) Shall not include plumbing fixtures.
    - (vi) Shall not be stacked; except in the Commercial and Industrial regulatory zones with an established commercial or industrial use type, and then

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- not stacked above two high. Setback requirements shall be determined by the total height of the stacked structure.
- (vii) Shall not display off-premise advertising, company logos, names, or other markings painted on, or otherwise attached to, the exterior of the cargo container.
  - (viii) Shall not occupy any required off-street parking spaces for the site.
  - (ix) Shall be separated from any other structure or storage shed by a minimum of ten feet, with the following exception:
    - a. Cargo containers may be placed side-by-side, with no separation between the individual containers, up to a maximum grouping of four containers where more than one cargo container is allowed on a property. Any such grouping of containers shall be a minimum of 20 feet from any other structure, storage shed, or other cargo container(s). This does not allow for placement of cargo containers end-to-end.
  - (x) Cargo containers do not require a placement permit from the Planning and Building Division, except within Commercial or Industrial regulatory zones or as otherwise noted within this section.
  - (xi) Any electrical wiring or HVAC components shall require a building permit from the Planning and Building Division.
  - (xii) Shall not be established as an Agricultural Building as a Main Use pursuant to Article 330, Domestic Pets and Livestock, of this Development Code.
- (2) Cargo containers placed on parcels one and one quarter acre or less in size must also adhere to the following regulations:
- (i) Shall not be placed between a residence and the adjoining street or road right-of-way that provides primary access to the residence.
    - a. On a parcel fronted by two or more street or road right-of-ways, the Director of the Planning and Building Division shall have the authority to determine the primary access to the residence.
- (h) Deed Restriction Required for Connection to Water or Wastewater Facilities. Any detached accessory structure proposed to be connected to a potable water supply line or a septic system or community sewer system (i.e. sanitary sewer) as part of a building permit application shall require a deed restriction to be filed with the County Recorder's office stipulating that the structure will not be converted to an accessory dwelling unit as defined in Section 110.304.15. Said deed restriction shall make the County a party to the restriction and shall be obtained through the Planning and Development Division. A copy of the recorded deed restriction shall be required prior to the issuance of the building permit. The Planning and Development Division shall agree in writing to the removal of the deed restriction if the owner legally converts the accessory structure to an accessory dwelling unit (pursuant to the provisions of this article and applicable building codes) or if the structure has been permanently disconnected from the potable water supply and sanitary sewer system. Installation of both a kitchen (as defined in Article 902) and a

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toilet in a detached accessory structure shall render the structure as a dwelling unit subject to the provisions of this article.

- (i) Use of Mobile/Manufactured Homes as Detached Accessory Structures. A detached accessory structure shall not be comprised of a mobile or manufactured home due to Federal Housing and Urban Development (HUD) standards prohibiting the removal or modification of any interior structural components, such as plumbing fixtures (see HUD 24 CFR Part 3280).
- (j) Hoop Houses and High Tunnels. Hoop houses and high tunnels, as defined in Section 110.902.15, General Definitions, may be established subject to the following regulations:
  - (1) Must meet all Washoe County placement standards for a detached accessory structure;
  - (2) Are exempt from the lot coverage limitations established in Section 110.306.10(a); and
  - (3) The height of a hoop house or high tunnel at its tallest point shall not exceed the allowable height for the regulatory zone within which it is located.

SECTION 5. Section 110.306.20 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.306.20 Attached Accessory Dwellings. Attached accessory dwellings are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. Attached accessory dwellings are permitted in the General Rural (GR), General Rural Agricultural (GRA), and the Residential Regulatory Zones, pursuant to all of the following regulations:

- (a) A main residential unit exists and no other accessory dwelling unit has been established.
- (b) A minimum lot area of five thousand (5,000) square feet exists.
- (c) Compliance with the setback and height standards of the regulatory zone and the lot coverage standards enumerated in Section 110.306.10(a).
- (d) **Except in the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed ~~forty (40)~~ fifty (50) percent of the total square footage of the main dwelling unit or ~~one thousand (1,000)~~ fifteen hundred (1,500) square feet, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the High Density Suburban Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 1,200 square feet, whichever is smaller.** The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space.

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- (e) An attached accessory dwelling may be created by converting part of, or adding on to, an existing single family main dwelling unit. To be considered attached, the accessory dwelling unit must abut (i.e. be on the opposite side of a wall or ceiling) the habitable space of the main dwelling, or the ceiling of a garage attached to the main dwelling. Incidental and accessory features such as trellises, decks, patios, breezeways, or tool sheds will not be considered as establishing an attached structure/dwelling. 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) Only one (1) accessory dwelling unit is allowed per parcel.

SECTION 6. Section 110.306.25 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.306.25 Detached Accessory Dwellings. Detached accessory dwellings are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types.—~~Detached accessory dwellings are allowed in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and are permitted in the Low Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and Low Density Suburban (LDS) Regulatory Zones pursuant to the administrative review process and requirements of this section. A detached accessory dwelling is permitted in the Medium Density Suburban (MDS) Regulatory Zone subject to a special use permit reviewed by the Board of Adjustment.~~ Any detached accessory dwelling unit must adhere to the following requirements:

- (a) A main residential unit exists and no other accessory dwelling unit has been established.
- (b) A minimum lot area of twelve thousand (12,000) square feet exists.
- (c) Compliance with the setback and height standards of the regulatory zone and the lot coverage standards enumerated in Section 110.306.10(a).
- (d) Except for in the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed fifteen hundred (1,500) square feet, or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed ~~eight hundred (800)~~ **twelve hundred (1,200)** square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. The maximum permitted square footage of a detached accessory dwelling 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 dwelling unit.
- (e) A manufactured or modular home constructed within six (6) years of the date of its placement is permitted as a detached accessory dwelling unit, subject to the size and regulatory zone requirements in (d) above and the provisions of Article 312, Fabricated

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Housing, provided that the unit is permanently affixed to the property, its foundation system is masked and the unit is converted to real property pursuant to the provisions of Article 312, Fabricated Housing, at the time of the final inspection date. Fabricated homes are permitted as detached accessory dwelling units in a manufactured home subdivision.

- (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) Only one (1) accessory dwelling unit is allowed per parcel.
- (h) A detached accessory dwelling unit may be converted to a main dwelling unit by subdividing the original parcel. The newly subdivided parcels (and any structures thereon) must meet all provisions of the Development Code, including the setback, height, and minimum lot area standards of the applicable regulatory zone.
- ~~(i) Administrative Review Process. Proposals to establish a detached accessory dwelling unit in the Low Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and Low Density Suburban (LDS) Regulatory Zones shall be reviewed pursuant to Article 809, Administrative Review Permits.~~
- ~~(ji) Conditions of approval for aA detached accessory dwelling unit shall include the requirement of the installation of a water meter if the detached accessory dwelling unit proposes to use a domestic well as its source of water.~~
- (j) On any parcel half an acre in size or smaller, a detached accessory dwelling unit shall be permitted only pursuant to the administrative review process in Article 809.**
- (k) If a detached accessory dwelling unit qualifies as a minor accessory dwelling unit as defined in WCC 110.304.15(a)(8) and is 12 feet in height or less, it can be located as close as 5 feet from the side and rear property lines. Minor accessory dwelling units located on parcels larger than ½ acre in size do not require an off-street parking space. Minor accessory dwelling units located on parcels ½ acre in size or smaller are required to have one off-street parking space, unless this requirement is waived by the Director of Planning and Building or their designee.**

SECTION 7. Section 110.312.05 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.312.05 Placement Standards. Fabricated housing that is not located within a manufactured home park shall comply with the provisions of this section.

- (a) Modular Homes. Modular home placements shall be subject to the same regulations and standards as site-built homes, and comply with the provisions of Washoe County Code Chapter 100.
- (b) Manufactured Homes. Manufactured home placements are allowed as follows:

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- (1) ~~Multi-sectional m~~Manufactured homes not less than ~~one thousand two hundred (1,200)~~ **four hundred (400)** square feet in size and constructed within six (6) years of the date of placement (as defined in Article 902) are allowed on an individual lot which permits a single family residence with the exception that new placements of manufactured homes are not allowed on parcels that have the current regulatory zones of either General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility, or any historic district established by Washoe County;
  - (2) Multi-sectional manufactured housing units and single manufactured housing units transported to the site are allowed in areas designated as Trailer (TR) Overlay zone in effect prior to May 26, 1993, with the exception that new placements of manufactured homes are not allowed on parcels that have the current regulatory zones of General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility; and
  - (3) Manufactured homes in a manufactured home park are allowed, provided they are in compliance with Article 314; Manufactured Home Parks.
- (c) Mobile Homes. Mobile home placements are allowed as follows:
- (1) Mobile homes are allowed in areas which were designated as Trailer (TR) Overlay zone in effect prior to May 26, 1993, with the exception that new placements of mobile homes are restricted to individual lots that had a previous mobile home or manufactured home assessed valuation within twelve (12) months of the new set-up permit application date. New mobile home placements are no longer allowed on parcels that have the current regulatory zones of either General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility.
  - (2) Mobile homes in a manufactured home park are allowed, provided they are in compliance with Article 314, Manufactured Home Parks.

SECTION 8. Section 110.406.50 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

**Section 110.406.50 Fences, Walls or Perimeter Planting.**

- (a) Residential Use Types. The maximum height for fences, walls or perimeter planting is limited to four-and-one-half (4.5) feet in the required front yard setback except as noted by Section 110.406.30, Front Yards. The maximum height for fences, walls or perimeter planting for the remainder of the residential property is six (6) feet. Where two (2) or more of a property's frontages constitute front yards on a corner lot, one (1) of the yards shall be deemed to be the main entrance and all other yards with street frontage shall be considered modified side yards where fences, walls or perimeter planting can have a maximum height of six (6) feet as long as such fences, walls or perimeter planting are located at least ten (10) feet from the modified side yard property line. Barbed wire or razor wire livestock fencing in front yards is allowed only on lots with a size greater than one (1) acre.
- (b) Commercial and Industrial Use Types. The fences, walls or perimeter planting in commercial and industrial development adjoining residential uses shall be at least six (6) feet but not more than eight (8) feet in height, in accordance with Article 412,

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Landscaping. The fences, walls or perimeter planting adjoining a street may be a maximum of six (6) feet in height. The fences, walls or perimeter planting adjoining non-residential uses may be a maximum of eight (8) feet in height.

- (c) Specialty Fences. Specialty fences are permitted in all regulatory zones with the following provisions:
- (1) A specialty fence shall only be for the purposes of enclosing a tennis court, racquetball court, basketball court or other court-type recreational activity, and for exotic animals when a fence is required pursuant to the issuance of a permit from the Washoe County Regional Animal Services.
  - (2) A specialty fence shall comply with the following provisions:
    - (i) The court or enclosure for which the fence is erected shall be located entirely to the side or rear of the main structure permitted on the property.
    - (ii) The fence may not be greater than ten (10) feet in height.
    - (iii) The fence may not prevent viewing through the fence. It may not be solid.
    - (iv) The fence must be of a color that blends with the background and in no instance may it be of a reflective material.
    - (v) The fence shall not be located closer than five (5) feet to the side or rear property lines.
  - (3) A specialty fence may be up to 30 feet in height for a baseball or softball backstop. A specialty fence may be any height, subject to approval of a Director's Modification of Standards, only when the fence is constructed for a civic use, such as a sports field.
- (d) Entry Gate and Entry Columns. An entry gate and entry columns are permitted in all regulatory zones and are subject to the following provision:
- (1) An entry gate and entry columns may exceed the allowable height of the fencing on adjacent fence panels by a maximum of eighteen (18) inches. Lighting fixtures may be placed on top of the entry column in excess of the height limitation.
- (e) Security Fences. Security Fences are permitted in all regulatory zones on parcels of land that do not have a main use established, subject to compliance with all of the following standards:
- (1) A security fence shall only be for the purpose of enclosing a vacant parcel of land to control access to that parcel of land.
  - (2) The allowable height of a security fence is defined at WCC 110.406.50.
  - (3) A building permit is required for construction of a security fence.
  - (4) A security fence shall comply with the following provisions:

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- (i) The security fence shall only be located on the perimeter of the subject site, or adjacent to a public access easement.
  - (ii) The security fence shall be constructed only of chain link and shall not prevent viewing through it. No slats are allowed. It shall not be solid.
  - (iii) Construction of a security fence using any material other than chain link may be permitted, subject to approval of a Director's Modification of Standards, when the alternative material provides an equivalent level of security and does not inhibit view of the parcel of land. It shall not be solid.
  - (iv) The security fence must be supported by steel pipes, and those supports must be set securely in the ground and stabilized with concrete.
- (f) **Battery-charged fences. A battery-charged fence is a fence that interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to summon law enforcement in response to an intrusion and has an energizer that is driven by a battery. Battery-charged fences are permitted on all properties within the rural, industrial, and commercial regulatory zones and on all properties within the Tahoe Planning Area, subject to compliance with all of the following standards:**
- (1) The battery-charged fence shall use a battery that is not more than 12 volts of direct current;
  - (2) The battery-charged fence shall have an energizer that meets the most current standards set forth by the International Electrotechnical Commission;
  - (3) The battery-charged fence shall be surrounded by a nonelectric perimeter fence or wall that is at least 5 feet in height;
  - (4) The battery-charged fence shall not be higher than 10 feet in height or 2 feet higher than the height of the nonelectric perimeter fence or wall described in 110.406.50(f)(3), whichever is greater; and
  - (5) The battery-charged fence shall be marked with conspicuous warning signs that are located on the battery-charged fence at intervals of not more than 40 feet and that read: "WARNING: ELECTRIC FENCE."

SECTION 8. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.

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3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
  
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

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Passage and Effective Date

Proposed on \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2024.

Proposed by Commissioner \_\_\_\_\_.

Passed on \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2024.

Vote:

Ayes:

Nays:

Absent:

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Alexis Hill  
Chair, Washoe County Commission

ATTEST:

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Jan Galassini, County Clerk

This ordinance shall be in force and effect from and after the 29th day of the month of March of the year 2024.