

# RENO GAZETTE-JOURNAL

Legal Advertising Dept. 702-788-6394

Customer Account # 349008  
PO #/ID #\*1017/2062ord

WASHOE COUNTY  
Comptroller's Office  
PO Box 11130  
RENO NV 89510

Legal Ad Cost 63.44

PROOF OF PUBLICATION

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

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

of ordinance: \_\_\_\_\_

of which a copy is hereto attached, has been  
published in each regular and entire issue of  
said newspaper on the following dates to wit:

May 19, 26, 1998

Signed

*Tana Ciccotti*

Subscribed and sworn to before me on 05/26/98

Notary Public

*Sandra Taylor*

SANDRA TAYLOR  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 98-0553-2 - Expires January 27, 2002

NOTICE OF ADOPTION  
WASHOE COUNTY  
ORDINANCE NO.1017

NOTICE IS HEREBY GIVEN THAT: BILL  
No. 1193 Ordinance No. 1017 entitled

AN ORDINANCE AMENDING CHAPTER  
110 OF THE WASHOE COUNTY  
CODE TO AMEND ARTICLE 220  
"TAHOE AREA" TO MODIFY THE  
STANDARDS FOR CONSTRUCTION OF  
A GARAGE; AT OR BELOW GRADE  
PARKING DECKS, WALKWAYS AND  
DECKS; CONSTRUCTION BELOW A  
PARKING DECK; GRANTING LEGAL  
CONFORMING COMPLIANCE WITH  
BUILDING SETBACK REQUIREMENTS  
FOR HOMES CONSTRUCTED PRIOR  
TO 1990 WHEN THE BUILDING PAD  
WAS NOT DELINEATED ON THE  
FINAL MAP; AND UTILIZING TAHOE  
REGIONAL PLANNING AGENCY  
HEIGHT CALCULATIONS FOR ALL  
STRUCTURES. IN ADDITION, AN  
ADMINISTRATIVE CHANGE TO SECTION  
110.226.05, PYRAMID LAKE  
HIGHWAY, ARTICLE 226, WARM  
SPRINGS AREA WOULD SUBSTITUTE  
PYRAMID LAKE HIGHWAY FOR  
INTERSTATE 80.

was adopted on May 12, 1998, by  
Commissioners Joanne Bond, Sue  
Camp, Jim Galloway, Mike Moullet,  
and Jim Shaw, and will become  
effective on Friday, May 29, 1998.

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

JUDI BAILEY,  
Washoe County Clerk  
No.2062 May 19,26,1998

6/1/98  
PLEASE STAMP & SIGN FOR PAYMENT

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



SUMMARY: Amends Chapter 110 of the Washoe County Code (Development Code) by amending Article 220, "Tahoe Area" and Section 110.226.05 Pyramid Lake Highway within Article 226, "Warm Springs Area" thereof.

BILL NO. 1193

ORDINANCE NO. 1017

AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO AMEND ARTICLE 220 "TAHOE AREA" TO MODIFY THE STANDARDS FOR CONSTRUCTION OF A GARAGE; AT OR BELOW GRADE PARKING DECKS, WALKWAYS AND DECKS; CONSTRUCTION BELOW A PARKING DECK; GRANTING LEGAL CONFORMING COMPLIANCE WITH BUILDING SETBACK REQUIREMENTS FOR HOMES CONSTRUCTED PRIOR TO 1990 WHEN THE BUILDING PAD WAS NOT DELINEATED ON THE FINAL MAP; AND UTILIZING TAHOE REGIONAL PLANNING AGENCY HEIGHT CALCULATIONS FOR ALL STRUCTURES. IN ADDITION, AN ADMINISTRATIVE CHANGE TO SECTION 110.226.05, PYRAMID LAKE HIGHWAY, ARTICLE 226, WARM SPRINGS AREA WOULD SUBSTITUTE PYRAMID LAKE HIGHWAY FOR INTERSTATE 80.

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

SECTION 1. Article 220 "Tahoe Area" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "A" which is attached hereto and made a part thereof.

SECTION 2. Section 110.226.05 of Article 226 "Warm Springs Area" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "B" which is attached hereto and made a part thereof.

SECTION 3. The provisions of this ordinance shall be in force and affect from and after the 1st day of June, 1998.

Proposed on the 28 day of APRIL, 1998.  
Proposed by Commissioner GALLOWAY.  
Passed on the 12 day of MAY, 1998.

Vote:

Ayes: **JOANNE BOND, SUE CAMP, JIM GALLOWAY, MIKE MOULIOT, & JIM SHAW**  
Nays:  
Absent:

*Joanne Bond*  
Chairman, Washoe County Commission

ATTEST:  
JUDI BAILEY, CLERK  
*Judi Bailey*  
County Clerk  
Chief Deputy

This ordinance shall be in force and effect from and after the 29 day of MAY, 1998

## Article 220

# TAHOE AREA

---

[This Article amended in its entirety by Ord. 982, provisions eff. 6/1/97; Ord. 1017, provisions eff. 6/1/98.]

### Sections:

|                   |  |
|-------------------|--|
| <b>110.220.00</b> | <b>Purpose</b>   |
| <b>110.220.05</b> | <b>Development Standards</b>                               |
| <b>110.220.10</b> | <b>Removal of Abandoned Foundation or Structure</b>        |
| <b>110.220.15</b> | <b>Height of Structures</b>                                |
| <b>110.220.20</b> | <b>Detached Accessory Structures</b>                       |
| <b>110.220.25</b> | <b>Requirements for the Construction of a Garage</b>       |
| <b>110.220.30</b> | <b>At or Below Grade Parking Decks, Walkways and Decks</b> |
| <b>110.220.35</b> | <b>Construction Below a Parking Deck</b>                   |
| <b>110.220.40</b> | <b>Conformance of Setbacks on Existing Residences</b>      |

**Section 110.220.00 Purpose.** The purpose of this article, Article 220, Tahoe Area, is to set forth special regulations to supplement the general regulations set forth in Article 202, Area Plan General Regulations, and to implement the Tahoe Area Plan contained in Volume Two of the Comprehensive Plan and the other applicable plan elements contained in Volume One of the Comprehensive Plan.

**Section 110.220.05 Development Standards.** The standards for development in the Tahoe planning area shall be the development standards of either the Tahoe Regional Planning Agency or Washoe County, whichever is more restrictive.

**Section 110.220.10 Removal of Abandoned Foundation or Structure.** Prior to the issuance of a building permit for a new structure, any existing abandoned or unfinished foundation or structure, not being incorporated into the new structure, shall be removed. Any portion of an existing foundation incorporated into the new structure shall be certified for structural integrity by a civil or structural engineer registered in the State of Nevada.

**Section 110.220.15 Height of Structures.** The maximum building height for any structure shall be calculated by the Tahoe Regional Planning Agency Ordinance, Chapter 22, Height Standards, in effect at the time of issuance of a building permit.

**Section 110.220.20 Detached Accessory Structures.** The following development requirements shall apply to detached accessory structures:

- (a) **Property Line Setback.** Accessory structures one (1) story in height, with maximum ten (10) feet high walls (measured from grade level to top plate) and a maximum roof pitch of 7/12, shall maintain a five (5) foot minimum setback from the rear and side property line. When the height of an accessory structure exceeds this height limitation, the structure shall maintain the yard setbacks for the main dwelling units stipulated in Article 406, Building Placement Standards.
- (b) **Height and Story Limit.**

- (1) The maximum building height for any accessory structure erected outside the required yard setbacks shall be calculated by the Tahoe Regional Planning Agency Ordinance, Chapter 22, Height Standards, in effect at the time of issuance of a building permit.
- (2) An accessory structure within the front yard shall not exceed one (1) story.
- (3) An accessory structure may be two (2) stories in height when the main dwelling unit is two (2) stories, the structure is erected outside the required yard setbacks, and the slope of the front half of the lot is greater than a two (2) foot rise (or fall) for every ten (10) feet above (or below) the established street grade.
- (i) Plumbing shall be limited to one (1) sink unit and one (1) toilet; and
- (ii) A deed restriction must be recorded on the property declaring the space shall not be used in a fashion as to constitute a secondary residence or separate residential unit. The area shall not be leased, rented or used separate from the primary residence on the property.
- (c) Below Grade Story. When the structure is at or below street grade, a first story may be constructed below grade providing the ceiling height is no greater than nine-and-one-half (9.5) feet.
- (1) Plumbing shall be limited to one (1) sink unit and one (1) toilet; and
- (2) A deed restriction must be recorded on the property declaring the space shall not be used in a fashion as to constitute a secondary residence or separate residential unit. The area shall not be leased, rented or used separate from the primary residence on the property.
- (d) Siting. Any accessory structure shall comply with the following siting requirements:
- (1) In the case of a corner lot abutting two (2) streets, no detached accessory structure shall be erected so as to encroach upon the front yard setbacks; and
- (2) A detached accessory structure, used as a private garage, may be built to the front property line on any corner lot when built no closer than sixty (60) feet from the corner, and on any interior or through lot where the slope of the front half of the lot is greater than a two (2) foot rise (or fall) for every ten (10) feet above (or below) the established street grade. The structure shall conform to the height and story limits provided within this section. The Engineering Division must be able to determine that:
- (i) County snow removal operations will not be impeded or sufficient measures have been incorporated in the structure's design to mitigate an impediment to County snow removal operations and/or the County has been held harmless from liability resulting from its snow removal operations;

- (ii) The speed of traffic and the volume of traffic on the street is such that the placing of the garage at the property line will not cause a safety problem for vehicles using the street; and
  - (iii) The placement of the garage at the property line will not impede the ability of the County to widen the street in accordance with the adopted Capital Improvements Program, or in accordance with a possible widening of the street as shown in the adopted Comprehensive Plan.
- (e) Building Setback. A detached accessory structure shall be located not closer than ten (10) feet to any main building on an adjoining parcel.

**Section 110.220.25 Requirements for the Construction of a Garage.** An enclosed garage shall not be required to be constructed in accordance with Article 410, Parking and Loading, when an existing dwelling unit is enlarged and one (1) of the following conditions exist:

- (a) There is no Tahoe Regional Planning Agency land coverage available for purchase within the land capability necessary for transfer;
- (b) Within a common open space subdivision or multi-family project, there is no new coverage or no relocation of coverage; or
- (c) Within a single family dwelling, there is no new coverage or no relocation of coverage.

**Section 110.220.30 At or Below Grade Parking Decks, Walkways and Decks.** On any downslope lot, a parking deck, walkway or deck with handrails may be constructed within the front setback provided:

- (a) A parking deck, not utilized as a driveway to a garage, begins at the edge of pavement and has no greater upslope than one (1) percent;
- (b) A parking deck, utilized as a driveway to a garage, may begin at the edge of pavement and have no greater upslope than fourteen (14) percent; or
- (c) A walkway or entry deck is no higher than eighteen (18) inches above grade at the edge of pavement.

**Section 110.220.35 Construction Below a Parking Deck.** On a downslope lot, the area below an allowed parking deck may be utilized for habitable space within the front setback provided:

- (a) The Engineering Division is 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 its snow removal operations; and
  - (2) Construction of the habitable space below the parking deck in the front yard will not impede the ability of the County to widen the street in accordance with the adopted Capital Improvements Program, or in

accordance with a possible widening of the street as shown in the adopted Comprehensive Plan.

- (b) Electrical and mechanical rooms as accessory to the mail dwelling unit may be established.
- (c) The habitable space contains no plumbing fixtures.

**Section 110.220.40 Conformance of Setbacks on Existing Residences.** The existing setbacks for a home constructed prior to 1990 shall be legal and conforming when:

- (a) The building pad is not delineated on the final subdivision map;
- (b) The home was constructed with all required permits prior to 1990;
- (c) No further intrusion into the setback is requested; and
- (b) The Engineering Division is able to determine that County snow removal operations will not be impeded and/or the County has been held harmless from liability resulting from its snow removal operations.

**Section 110.226.05 Pyramid Lake Highway.** Development along Pyramid Lake Highway shall comply with the following:

- (a) Access. Direct egress or ingress onto new individual parcels in addition to that existing on May 26, 1993 is prohibited, unless no other alternative egress or ingress can be shown.

*[This Section amended by Ord. 949, provisions eff. 5/1/96; Ord. 1017, provisions eff. 6/1/98.]*