

SUMMARY: An ordinance amending Washoe County Code, Chapter 110, Development Code, Article 306, Accessory Uses and Structures, to modify the placement standards for cargo containers permitted as detached accessory structures and providing for other matters properly relating thereto.

BILL NO. 1661

ORDINANCE NO. 1480

AN ORDINANCE AMENDING SECTION 110.306.10(G) OF THE WASHOE COUNTY DEVELOPMENT CODE, DETACHED ACCESSORY STRUCTURES; CARGO CONTAINERS, TO INCLUDE SEA-LAND CONTAINERS, CARGO CONTAINERS OR OTHER PORTABLE STORAGE CONTAINERS NOT DESIGNED FOR INDEPENDENT OR "IN-TOW TRAILER" HIGHWAY USE, TO CLARIFY WHAT CONSTITUTES PLACEMENT OF A CONTAINER BETWEEN A DWELLING AND A ROAD OR ACCESS EASEMENT AND TO PROVIDE SPECIFIC STANDARDS FOR PLACEMENT OF A CARGO CONTAINER ADJACENT TO AN ACCESS THAT IS NOT THE PRIMARY ACCESS TO A LOT, TO PROVIDE FOR MINOR MODIFICATION OF THE REQUIRED PLACEMENT STANDARDS FOR A CARGO CONTAINER BY THE DIRECTOR OF COMMUNITY DEVELOPMENT UNDER CERTAIN CIRCUMSTANCES AND TO REMOVE ALL AMBIGUITY THAT CARGO CONTAINERS MAY NOT BE ESTABLISHED AS AN "AGRICULTURAL BUILDING AS A MAIN USE" PURSUANT TO ARTICLE 330 DOMESTIC PETS AND LIVESTOCK OF THE DEVELOPMENT CODE , AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS:

A. Following the notice and public hearing requirements set forth in Washoe County Code Chapter 110, Article 818, and following the hearing recommends adoption of an ordinance that amends Section 110.306.10 (g); and

B. This ordinance is adopted pursuant to a provision in NRS Chapter 278 and therefore is not a "rule" as defined in NRS 237.060.

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

SECTION 1. Section 110.306.10(g) of the Washoe County Code is hereby amended to read in its entirety 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:

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(g) Cargo Containers, to include Sea-land Containers, Cargo Containers or Other Portable Storage Containers not Designed for Independent or "In-tow Trailer" Highway Use. Cargo containers designed and constructed as a standardized, reusable vessel to be loaded on a truck, rail car or ship may be established as a detached accessory structure for the sole purpose of storage with the following restrictions:

- (1) Must meet all Washoe County placement standards for a detached accessory structure;
- (2) Only one (1) cargo container shall be allowed on a parcel of land having less than five (5) acres in size, and shall not exceed a maximum size of ten (10) feet wide by nine (9) feet high by forty (40) feet in length;
- (3) In the "suburban" and "urban" regulatory zones, the cargo container shall be located within an area fenced by either a six (6) foot high slatted chain link fence, wooden fence or other acceptable fencing, or by existing solid vegetation having a minimum height of six (6) feet. If existing landscaping is used as screening, it shall be indicated on the building plans and photos shall be submitted as evidence;
- (4) All cargo containers shall be free from damage, shall not be structurally altered, shall be free from severe rust, and shall not have exposed bare metal;
- (5) Shall not include plumbing fixtures;
- (6) Shall not be stacked; except in the Commercial and Industrial land use designations, and then not stacked above two (2) high. Setback requirements shall be determined by the total height of the stacked structure;
- (7) Shall not display off-premise advertising, company logos, names, or other markings painted on, or otherwise attached to, the exterior of the cargo container;
- (8) Shall not occupy any required off-street parking spaces for the site;
- (9) Shall not be placed between a residence and any **the** adjoining street or road right-of-way **that provides primary access to the residence;**
  - (i) **On a parcel fronted by two or more street or road right-of-ways the Director of Community Development shall have the authority to determine the primary access to the residence.**
- (10) **When placed on a parcel fronted by two or more street or road right-of-ways, shall be placed at least 100 feet from all street or road right-of-ways, except as provided for in (9), above.**
  - (i) **The Director of Community Development shall have the authority to allow a minor deviation in setbacks of up to twenty-five feet to the standards in (10) above, when the Director is presented with sufficient evidence that the**

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proposed cargo container will be aesthetically enhanced to blend with the surrounding residences.

(ii) **Aesthetic enhancements, as required in (i) above, shall consist of one or more of the following: siding and / or painting to match the residence on the parcel; landscaping to obscure the cargo container from view from off site; placement of the cargo container to obscure view from off site; other techniques as proposed by the applicant and acceptable to the Director.**

(iii) **Approval of a minor deviation to setback standards in (10) above shall be by means of application for a "Directors Modification of Standards."**

~~(10)~~(11) Shall be separated from any other structure, storage shed or other cargo containers by a minimum of ten (10) feet, when located within one hundred (100) feet of any property line;

~~(11)~~(12) A cargo container may be allowed in a Commercial or Industrial land use regulatory zone for storage purposes if there is a lawful, principal established use on the property where it is located, is located to the rear of any principal use, is not located adjacent to a street, does not impact required parking, and is located behind a slatted chain link fence, wooden fence or other acceptable fencing having a minimum height of eight (8) feet, or existing solid vegetation having a minimum height of eight (8) feet;

~~(12)~~(13) Shall obtain an appropriate permit from the Department of Building and Safety if the unit is over one-hundred twenty (120) square feet; and

~~(13)~~(14) The Department of Building and Safety may additionally require foundations, tie-downs or other safety apparatus to assure compliance with wind load and other safety standards. Any electrical wiring shall require a building permit from the Department of Building and Safety.

(15) **Shall not be established as an "Agricultural building as a Main Use" pursuant to Article 330 of this Development Code.**

## SECTION 2

### 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 Chairman of the Board and the officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The County Clerk is authorized to make non-substantive edits and corrections to this Ordinance.

3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby

repealed but only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

4. This ordinance shall be in effect from and after its publication as hereinafter provided, and after this ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this ordinance shall be published by title only, together with the names of the Commissioners voting for or against and with a statement that typewritten copies of said ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Reno Gazette Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two weeks by two insertions as required by NRS 244.100 and any other enabling laws.

5. 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 it 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.

**Passage and Effective Date**

This ordinance was proposed on 12-13-11 by the Washoe County Planning Commission.

This ordinance was passed on 1-24-12.

Those voting "aye" were Breternitz-Weber-LARKIN-Jung  
Those voting "nay" were HUMKE  
Those absent were none  
Those abstaining were none

This ordinance shall be in force and effect immediately upon the date of the second publication of such ordinance as required by NRS 244.100. 2-3-12

*Robert M Larkin*

Robert M. Larkin ; Chairman of the Board of County Commissioners

ATTEST:

*Amy Harvey*  
Amy Harvey, County Clerk

WASHOE COUNTY  
COMPTROLLER

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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation 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: **01/27/2012 - 02/03/2012**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: \_\_\_\_\_

**Gina Briles**

**FEB 3 2012**



**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO.1480 BILL NO. 1661 An Ordinance amending Section 110.306.10(g) of the Washoe County Development Code, Detached Accessory Structures; Cargo Containers, to include sea-land containers, cargo containers or other portable storage containers not designed for independent or "in-tow trailer" highway use, to clarify what constitutes placement of a container between a dwelling and a road or access easement and to provide specific standards for placement of a cargo container adjacent to an access that is not the primary access to a lot, to provide for minor modification of the required placement standards for a cargo container by the director of community development under certain circumstances and to remove all ambiguity that cargo containers may not be established as an "agricultural building as a main use" pursuant to Article 330 Domestic Pets and Livestock of the development code, and providing for other matters properly relating thereto. (Bill No. 1661) NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Courthouse, 75 Court Street, Reno, Washoe County, Nevada; and that the ordinance was proposed on December 13, 2011 by Commissioner Larkin and was passed and adopted without amendment at a regular

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meeting held on January 24, 2012 by the following vote of the Board of County Commissioners: Those Voting Aye: John Breternitz Robert Larkin Bonnie Weber Kitty Jung Those Voting Nay: David Humke Those Absent: None This ordinance shall be in full force and effect from and after the date of the second publication of such ordinance by its title only on February 3, 2012. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only. DATED: January 25, 2012. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 771995 Jan. 27, Feb. 3, 2012

**NOTICE OF ADOPTION  
WASHOE COUNTY ORDINANCE NO.1480  
BILL NO. 1661**

An Ordinance amending Section 110.306.10(g) of the Washoe County Development Code, Detached Accessory Structures; Cargo Containers, to include sea-land containers, cargo containers or other portable storage containers not designed for independent or "in-low trailer" highway use, to clarify what constitutes placement of a container between a dwelling and a road or access easement and to provide specific standards for placement of a cargo container adjacent to an access that is not the primary access to a lot, to provide for minor modification of the required placement standards for a cargo container by the director of community development under certain circumstances and to remove all ambiguity that cargo containers may not be established as an "agricultural building as a main use" pursuant to Article 330 Domestic Pets and Livestock of the development code, and providing for other matters properly relating thereto. (Bill No. 1661)

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Courthouse, 75 Court Street, Reno, Washoe County, Nevada; and that the ordinance was proposed on December 13, 2011 by Commissioner Larkin and was passed and adopted without amendment at a regular meeting held on January 24, 2012 by the following vote of the Board of County Commissioners:

Those Voting Aye:  
John Breternitz  
Robert Larkin  
Bonnie Weber  
Kitty Jung

Those Voting Nay: David Humke  
Those Absent: None

This ordinance shall be in full force and effect from and after the date of the second publication of such ordinance by its title only on February 3, 2012.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only.

DATED: January 25, 2012.

AMY HARVEY, Washoe County Clerk and  
Clerk of the Board of County Commissioners

No. 771995 Jan. 27, Feb. 3, 2012