



Planning Commission Staff Report

Meeting Date: August 4, 2015

Subject: **Resolution to Initiate Development Code Amendment**
Applicant: Planning and Development Division
Agenda Item Number: 8C
Summary: To consider and adopt a resolution initiating an amendment to Washoe County Code Chapter 110, Development Code, at Article 306, *Accessory Uses and Structures*, and at Article 310, *Temporary Uses and Structures*.
Recommendation: Adopt and authorize the Chair to sign the attached resolution
Prepared by: **Bob Webb**, Planning Manager
Washoe County Community Services Department
Planning and Development Division
Phone: 775.328.3623
E-Mail: bwebb@washoecounty.us

Initiation Description

Possible action to adopt a resolution initiating an amendment to Washoe County Code Chapter 110, Development Code, at Article 306, *Accessory Uses and Structures*, and at Article 310, *Temporary Uses and Structures*, to make changes including the following:

1. Clarify when a building permit is needed for a cargo container on a residential property (Article 306).
2. Refine the definition of a commercial vehicle to reflect accurate vehicle descriptions (Article 306).
3. Add a qualifier to exceptions for the storage of commercial vehicles for equipment used in conjunction with building activities under a building permit (Article 306).
4. Change the designation of temporary storage containers to temporary cargo containers to match regulations contained in Article 306 (Article 310).
5. Modify temporary container regulations to require a closer connection between allowed temporary containers and the associated temporary use under a building permit (Article 310).
6. Update certain sections to reflect the current organization of the Community Services Department and the Health District's name (both Articles).

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Initiating Development Code Amendments

The Washoe County Development Code is Chapter 110 of the Washoe County Code (WCC). The Development Code broadly regulates allowable and permitted land uses, subdivision of land, planning permit requirements and procedures, signage, infrastructure availability, land use development standards, and other related matters. Because the Development Code covers so many varying aspects of land use and development standards, it is expected that from time to time it may be necessary to change or amend one or more portions of the Development Code to keep it up to date with the most current and desirable trends in planning and development.

The Development Code amendment process provides a method of review and analysis for such proposed changes. Development Code amendments may be initiated by the Washoe County Board of County Commissioners (Board), the Washoe County Planning Commission (PC), or an owner of real property. Development Code amendments are initiated by resolution of the Board or the PC. Real property owners may submit an application to initiate a Development Code amendment.

After initiation, the PC considers the proposed amendment in a public hearing. The PC may recommend approval, approval with modifications or deny the proposed amendment. The PC records its recommendation or denial by resolution.

The Board hears all amendments recommended for approval, and amendments denied by the PC upon appeal. The Board will hold a first reading and introduction of the ordinance (proposed amendment), followed by a second reading and possible ordinance adoption in a public hearing at a second meeting at least two weeks after the first reading.

Public Notice

There are no public notice requirements established within the Development Code for an initiation of a Development Code amendment.

Background

Staff's attention has been directed to possibly address concerns dealing with certain aspects of the Development Code as it applies to cargo containers and commercial vehicles. The concerns centered on the permanent and temporary storage of such containers and vehicles on residential properties.

The proposed amendments will modify current Development Code regulations to address the following issues within Article 306, *Accessory Uses and Structures*, and Article 310, *Temporary Uses and Structures* (but not limited to these issues):

1. Clarify when a building permit is needed for a cargo container on a residential property (Article 306).
2. Refine the definition of a commercial vehicle to reflect accurate vehicle descriptions (Article 306).
3. Add a qualifier to exceptions for the storage of commercial vehicles for equipment used in conjunction with building activities under a building permit (Article 306).
4. Change the designation of temporary storage containers to temporary cargo containers to match regulations contained in Article 306 (Article 310).
5. Modify temporary container regulations to require a closer connection between allowed temporary containers and the associated temporary use under a building permit (Article 310).
6. Update certain sections to reflect the current organization of the Community Services Department and the Health District's name (both Articles).

Recommendation

Staff recommends adoption of the attached resolution to initiate an amendment to Article 306, *Accessory Uses and Structures*, and to Article 310, *Temporary Uses and Structures*. The following motion is provided for your consideration:

Motion

I move that after giving reasoned consideration to the information contained in the staff report, the Planning Commission:

- (1) Adopt the resolution attached at Exhibit A to the staff report to initiate a Development Code amendment to Article 306, *Accessory Uses and Structures*, and to Article 310, *Temporary Uses and Structures*; and
- (2) Authorize the Chair to sign the resolution on behalf of the Planning Commission.

I further move to direct staff to bring the amendment back to this Commission for a hearing within 125 days of today's date.

xc: Dave Solaro, Director, Community Services Department
Nate Edwards, Deputy District Attorney
Bill Whitney, Director



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AN AMENDMENT TO WASHOE COUNTY CODE CHAPTER 110, DEVELOPMENT CODE, AT ARTICLE 306, ACCESSORY USES AND STRUCTURES, CONCERNING CARGO CONTAINERS AND COMMERCIAL VEHICLE STORAGE AND AT ARTICLE 310, TEMPORARY USES AND STRUCTURES, TO REFINE REGULATIONS CONCERNING TEMPORARY CONTRACTOR OR OWNER-BUILDER PORTABLE CONTAINERS

Resolution Number 15-12

Whereas, Section 110.818.05 of the Development Code requires that amendments to the Development Code be initiated by resolution of the Washoe County Planning Commission; and

Whereas, the Washoe County Planning Commission received a report on August 4, 2015 concerning potential amendments to Washoe County Code Chapter 110, Development Code, at Article 306, *Accessory Uses and Structures*, and at Article 310, *Temporary Uses and Structures*; and

Whereas, such amendments would focus on, but are not limited to:

1. Clarifying when a building permit is needed for a cargo container on a residential property;
2. Refining the definition of a commercial vehicle to reflect accurate vehicle descriptions;
3. Adding a qualifier to exceptions for the storage of commercial vehicles for equipment used in conjunction with building activities under a building permit;
4. Changing the designation of temporary storage containers to temporary cargo containers to match regulations contained in Article 306;
5. Modifying temporary container regulations to require a closer connection between allowed temporary containers and the associated temporary use under a building permit; and,
6. Updating certain sections in both Articles to reflect the current organization of the Community Services Department and the Health District's name.

Now, therefore, be it resolved that pursuant to Washoe County Code Section 110.818.05(a) that an amendment is initiated to the Washoe County Code Chapter 110, Development Code, at Articles 306 and 310 as set forth in the agenda for the August 4, 2015 meeting of the Washoe County Planning Commission, that a public hearing with this Planning Commission on the amendment shall be held within 125 days of this resolution's adoption date, and that this amendment is initiated without prejudice to its final disposition.

ADOPTED on August 4, 2015.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Carl R. Webb, Jr. AICP, Secretary

Roger Edwards, Chairman

DCA15-001
EXHIBIT A