



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: October 23, 2018

DATE: September 21, 2018

TO: Board of County Commissioners

FROM: Bob Webb, Planning Manager, Planning and Building Division
Community Services Department, 328-3623, bwebb@washoecounty.us

THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning &
Building Division, Community Services Dept., 328-
3619, mhauenstein@washoecounty.us

SUBJECT: Public Hearing: Second reading and adoption of an ordinance amending the Washoe County Code at Chapter 110 (Development Code) to change the number of van accessible handicapped parking spaces required in accordance with Washoe County Code Table 110.410.15.1 from one per eight handicapped parking spaces to one per six handicapped parking spaces for any parking facility serving the public; and, to address other matters necessarily connected therewith and pertaining thereto. (All Commission Districts.)

SUMMARY

To conduct the second reading of, and possibly adopt, an ordinance amending Washoe County Code Chapter 110 to change the number of required van accessible handicapped parking spaces from one per eight handicapped parking spaces to one per six handicapped parking spaces.

Washoe County Strategic Objective supported by this item: Proactive Economic Development and Diversification

PREVIOUS ACTION

On August 31, 2018, the Director of the Planning and Development Division, Community Services Department, initiated WDCA18-0004, a technical revision to the Development Code to change the number of van accessible handicapped parking spaces required in accordance with Washoe County Code Table 110.410.15.1 from one per eight handicapped parking spaces to one per six handicapped parking spaces.

On October 9, 2018, the Board initiated an amendment to the Development Code for WDCA18-0004, the technical revision to the Development Code to change the number of van accessible handicapped parking spaces required in accordance with Washoe County Code Table 110.410.15.1 from eight to six.

AGENDA ITEM # _____

BACKGROUND

PROPOSED TECHNICAL REVISION

Handicapped parking spaces are regulated within Washoe County Code (WCC) Chapter 100 (Buildings and Construction) and the WCC Chapter 110 (Development Code). Both WCC Chapters establish the handicapped parking spaces required for new development (Development Code) and new buildings or uses within a building (Building and Construction). Specific to this technical revision, WCC Section 110.410.15(c)(1) requires that one of every eight required handicapped parking spaces be a van accessible space (code extract appears below, highlights and underline added).

Section 110.410.15 Special Parking Provisions.

- (c) Handicapped Parking. In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.
 - (1) Handicapped parking spaces shall be provided in accordance with Table 110.410.15.1. One (1) of every eight (8) required handicapped spaces shall be a van accessible space (a minimum of one (1) van accessible space per parking area).

This section of the Development Code was last amended on July 7, 1993. Planning staff was informed by a concerned citizen that the 2010 U.S. Department of Justice (DOJ) Americans with Disabilities Act (ADA) Standards (Titles II and III) require that for every six handicapped parking spaces, at least one shall be a van parking space (see Attachment B, highlights added).

The DOJ ADA Standards provide guidance to local jurisdictions, but do not carry the force of law when enforcing local jurisdiction development and building regulations. However, Section 1106.5, *Van Spaces*, of the 2012 International Building Code (IBC) requires that for every six handicapped accessible parking spaces, at least one shall be a van-accessible parking space (see Attachment C, highlights added).

The 2012 IBC was adopted by reference into WCC Chapter 100, so the IBC carries the force of law for building regulations within unincorporated Washoe County. Therefore the Development Code must be amended to conform to WCC Chapter 100. The specific technical revision to the Development Code appears below (highlights added):

Section 110.410.15 Special Parking Provisions.

- (c) Handicapped Parking. In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.
 - (1) Handicapped parking spaces shall be provided in accordance with Table 110.410.15.1. One (1) of every six eight (8) required handicapped spaces shall be a van accessible space (a minimum of one (1) van accessible space per parking area).

The technical revisions will also make minor grammar edits within WCC Section 110.410.15 to eliminate duplicate numbering. Specifically, a reference to “one (1)” will

be amended to read as “one”. Letters will be used for numbers from one to nine, and numbers for any number greater than 10.

TECHNICAL REVISION CODE AMENDMENT PROCESS

WCC Section 110.818.60 enables technical revisions to the Development Code by the Director of the Planning and Building Division (see Attachment D). Technical revisions are initiated by the Director [WCC Section 110.818.60(c)(1)] and proceed directly to the Washoe County Board of County Commissioners (BCC) for a first and second reading. The Director initiated this technical revision (WDCA18-0004) on August 31, 2018 (see Attachment E). WCC Section 110.818.60(d) requires certain findings to be made by the Director in order to initiate a technical revision. This technical revision qualifies based on the following requirements:

1. Mandated by federal law, whether by statute or court decision, and when no significant discretion can be exercised by the County [WCC Section 110.818.60(b)(2); DOJ ADA standards]; and,
2. Needed to conform to an action taken by another County agency [WCC Section 110.818.60(b)(6); 2012 IBC adopted by reference into WCC Chapter 100].

The technical revision is consistent with all of the statutes, plans and codes outlined in WCC Section 110.818.60(d)(2). WCC Section 110.818.60(e) requires that the Planning Commission (Chair and members) and Citizen Advisory Boards (Chairs and members) be notified of the proposed technical revision and be provided the opportunity to provide objections or comments. The Planning Commission (PC) and the Citizen Advisory Boards (CAB) were notified by e-mail on August 29, 2018 and by postal mail on August 30, 2018 of the proposed technical amendment (see Attachment F). The PC and CAB Chairs and members were asked to provide any objections or comments by September 6, 2018 in order for staff to include their responses within this staff report.

Staff received responses from two PC members (Chesney and Donshick) and six CAB members (Brockman, Christensen, Edwards, Giddings, Rummings, and Theiss). All of the PC and CAB responding Chairs/members have no objections to or comments on the proposed technical revision. Staff can provide copies of their responses if the Board requests.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board conduct a second reading and adopt an ordinance amending the Washoe County Code at Chapter 110 (Development Code) to change the number of van accessible handicapped parking spaces required in accordance with Washoe County Code Table 110.410.15.1 from one per eight handicapped parking spaces to one per six handicapped parking spaces for any parking facility serving the public; and, to address other matters necessarily connected therewith and pertaining thereto.

POSSIBLE MOTION

Should the Board agree with the recommendation, a possible motion would be:

“Move to adopt Ordinance Number [insert ordinance number as provided by the County Clerk] amending the Washoe County Code at Chapter 110 (Development Code) to change the number of van accessible handicapped parking spaces required in accordance with Washoe County Code Table 110.410.15.1 from one per eight handicapped parking spaces to one per six handicapped parking spaces for any parking facility serving the public; and, to address other matters necessarily connected therewith and pertaining thereto.”

- Attachments:
- A. Proposed Ordinance
 - B. 2010 DOJ ADA Standards (Titles II and III) (extract)
 - C. 2012 IBC, Section 1106
 - D. WCC Section 110.818.60
 - E. Technical Revision Initiation
 - F. Notification of PC and CABs

DRAFT: September 7, 2018

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INFORMATION ONLY

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

BOLD TEXT: NEW LANGUAGE

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

Summary: *Amends the Washoe County Code at Chapter 110 (Development Code) to change the required number of van accessible handicapped parking spaces from one per eight handicapped parking spaces to one per six handicapped parking spaces.*

BILL NO. _____

ORDINANCE NO. _____

Title:

An Ordinance amending the Washoe County Code at Chapter 110 (Development Code) to change the number of van accessible handicapped parking spaces required in accordance with Washoe County Code Table 110.410.15.1 from one per eight handicapped parking spaces to one per six handicapped parking spaces for any parking facility serving the public; and, to address other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. The number of required van accessible handicapped parking spaces as prescribed in Washoe County Code Chapter 110 does not match the number of spaces as regulated in the 2012 International Building Code as adopted by Washoe County within Washoe County Code Chapter 100; and,
- B. Washoe County Code Section 110.818.60 provides a method to amend the Code by technical revision in order to conform with actions taken by another County agency, in this case the adoption of standards for the number of required van accessible handicapped parking spaces; and,

- C. The Director of the Planning and Building Division of the Washoe County Community Services Department initiated the proposed amendments on August 31, 2018 following the provisions of Washoe County Code Section 110.818.60(c)(1); and,
- D. The amendments and this Ordinance were drafted in concert with the District Attorney; and,
- E. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Board 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 110.410.15 is hereby amended to read as follows:

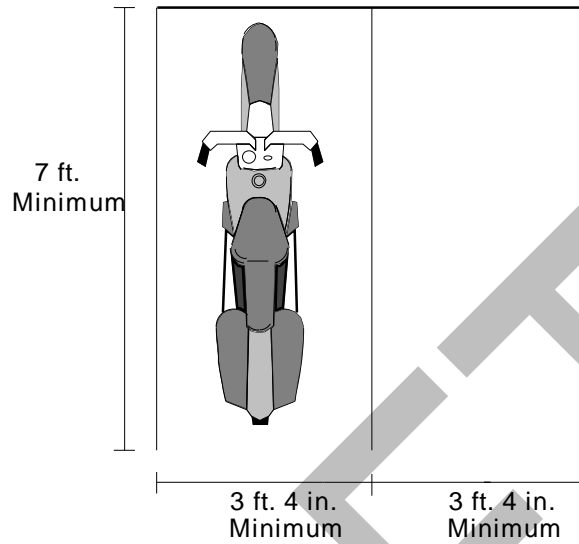
Section 110.410.15 Special Parking Provisions.

- (a) Motorcycle and Bicycle Spaces. For every four ~~(4)~~ motorcycle or six ~~(6)~~ bicycle parking spaces provided, a credit of one ~~(1)~~ parking space shall be given toward the requirements of this article, provided, however, that the credit for each shall not exceed ~~one-fortieth (1/40)~~ of the total number of automobile spaces required. If determined necessary by the County Engineer, bollards shall be installed to separate and protect motorcycle and bicycle spaces from automobile circulation. The minimum dimensions for motorcycle and bicycle spaces shall be as set forth in the following subsections:
 - (1) Motorcycle spaces shall be a minimum of seven ~~(7)~~ feet in length and three ~~(3)~~ feet four ~~(4)~~ inches in width as illustrated in Figure 110.410.15.1.
 - (2) Bicycle spaces shall be a minimum of six ~~(6)~~ feet in length and two ~~(2)~~ feet six ~~(6)~~ inches in width as illustrated in Figure 110.410.15.2.
- (b) Bicycle Storage. In commercial and industrial projects with ~~twenty (20)~~ or more required parking spaces, a rack or other secure device for the purpose of storing and protecting bicycles from theft shall be installed. Such devices shall be provided with a minimum capacity of one bicycle per ~~twenty (20)~~ required parking spaces and shall be located so as not to interfere with pedestrian or vehicular traffic.
- (c) Handicapped Parking. In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.

- (1) Handicapped parking spaces shall be provided in accordance with Table 110.410.15.1. One ~~(4)~~ of every ~~six~~ ~~eight~~ ~~(8)~~ required handicapped spaces shall be a van accessible space (a minimum of one ~~(4)~~ van accessible space per parking area).
- (2) Handicapped parking spaces shall be a minimum of eight ~~(8)~~ feet in width and a minimum of ~~eighteen~~ ~~(18)~~ feet in length, as illustrated in Figure 110.410.15.3.
- (3) Handicapped spaces shall be provided with an adjacent access aisle, as illustrated in Figure 110.410.15.3. Access aisles shall be a minimum of five ~~(5)~~ feet in width. Van access aisles shall be a minimum of eight ~~(8)~~ feet in width. Access aisles shall be located on the passenger side of each space unless it is located between and is shared by two ~~(2)~~ designated spaces.
- (4) Handicapped parking spaces and access aisles shall be level.
- (5) Handicapped spaces shall be located as near as possible to accessible building or site entrances and shall be located so as to provide convenient access to curb ramps.
- (6) Each reserved handicapped parking space shall be designated with a stall sign displaying the International Symbol of Accessibility, as illustrated in Figure 110.410.15.4. Each stall sign shall be at least ~~seventy~~ ~~(70)~~ square inches in size. Spaces that are van accessible shall be designated as "Van Accessible."
- (7) Each reserved handicapped parking space shall meet one ~~(1)~~ of the following stall markings requirements:
 - (i) Each handicapped parking space shall be painted solid blue with a white International Symbol of Accessibility; or
 - (ii) Each handicapped parking space shall be outlined in blue with a three ~~(3)~~ foot square International Symbol of Accessibility painted in a contrasting color.
- (8) Each reserved handicapped parking space shall be marked with a sign warning drivers of the possibility of towing due to unauthorized use and providing information of recovering towed vehicles. Warning signs shall have minimum dimensions of ~~seventeen~~ ~~(17)~~ inches by ~~twenty-two~~ ~~(22)~~ inches and shall be labeled with lettering of at least one ~~(1)~~ inch in height.
- (9) A minimum of ~~ninety-eight~~ ~~(98)~~ vertical inches of clearance shall be provided for van accessible spaces and the entire route from parking area ingress/egress points to the parking space.
- (10) As illustrated in Figure 110.410.15.5, a minimum vehicle overhang allowance of ~~twenty-four~~ ~~(24)~~ inches shall be provided between accessible routes and handicapped parking spaces. Said accessible routes shall, at all times, provide users with a minimum width of ~~thirty-six~~ ~~(36)~~ inches of throughway.

Figure 110.410.15.1

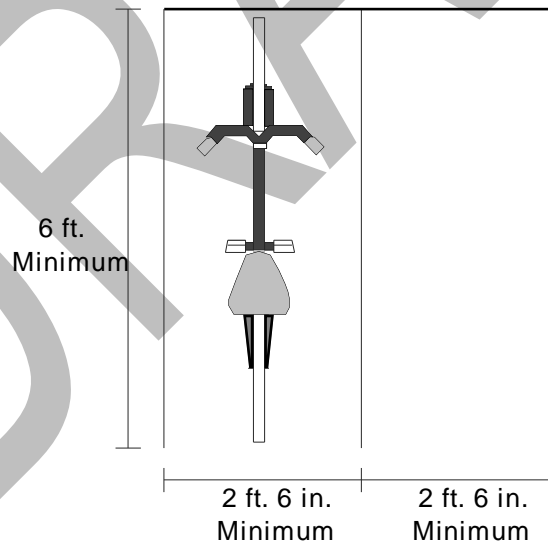
MOTORCYCLE PARKING DIMENSIONS



Source: Sedway Cooke Associates.

Figure 110.410.15.2

BICYCLE PARKING DIMENSIONS



Source: Sedway Cooke Associates.

Table 110.410.15.1

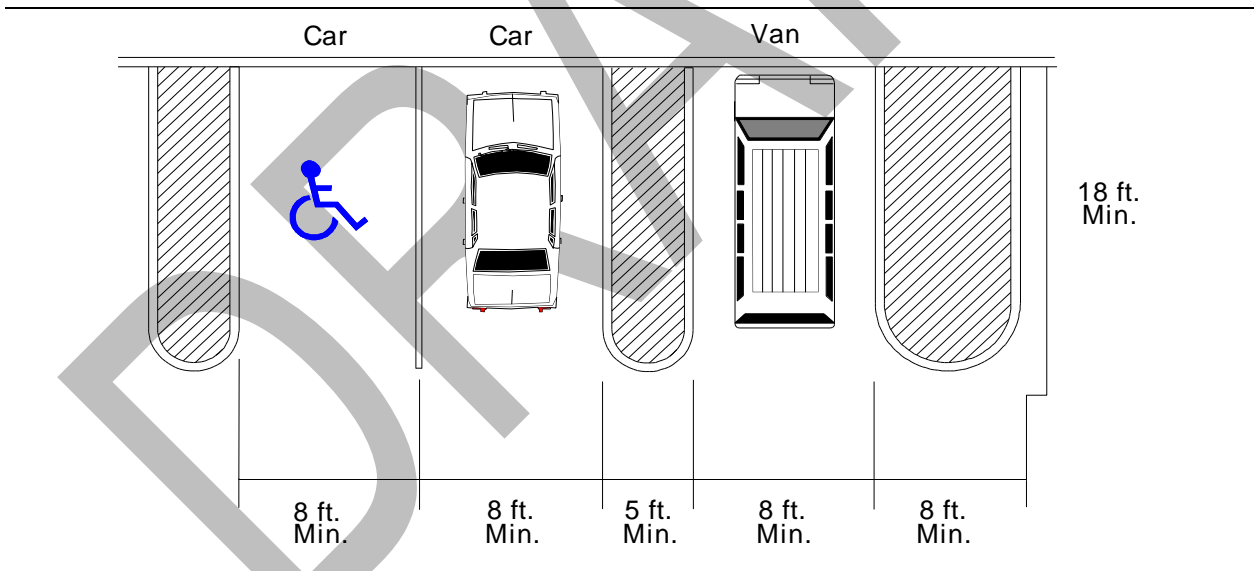
HANDICAPPED ACCESSIBLE SPACES

Spaces in Lot	Required Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of Total
1,001 and over	20 plus 1 per 100 above 1,000

Source: Washoe County Department of Community Development.

Figure 110.410.15.3

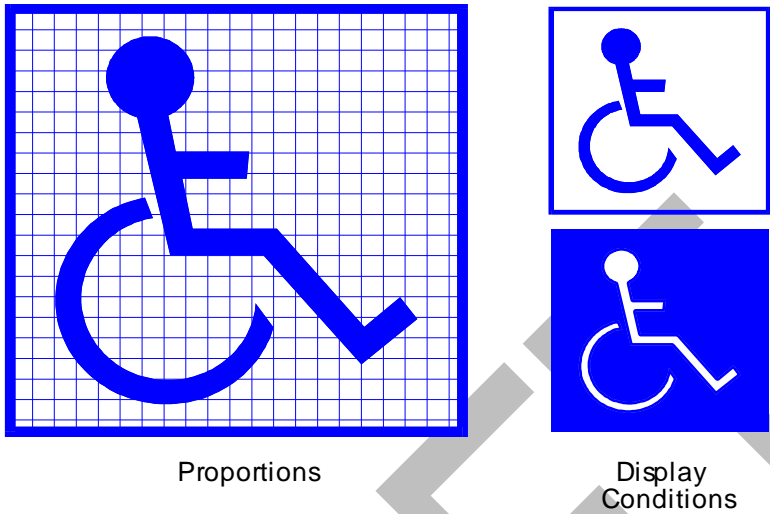
HANDICAPPED PARKING DIMENSIONS



Source: Sedway Cooke Associates.

Figure 110.410.15.4

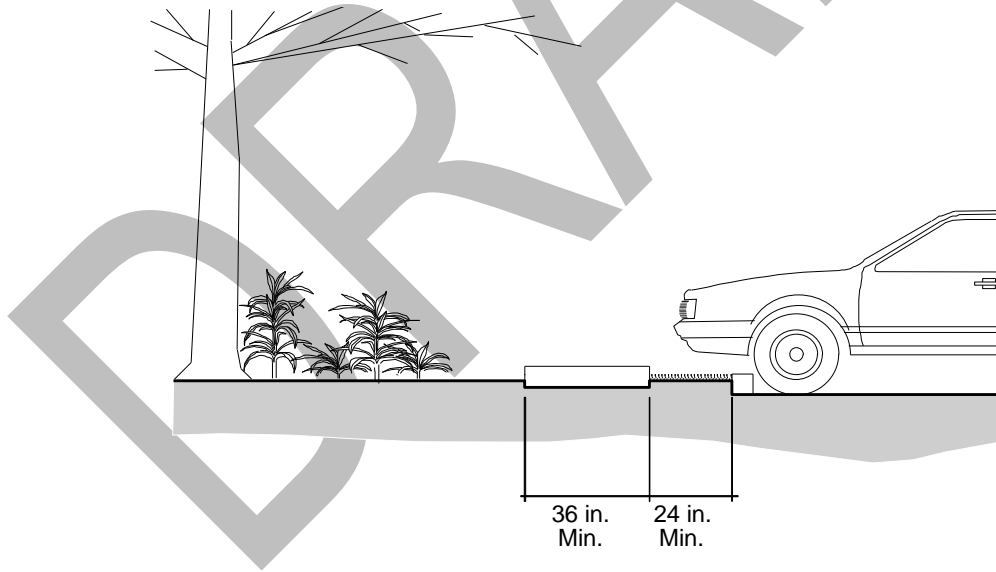
INTERNATIONAL SYMBOL OF ACCESSIBILITY



Source: Sedway Cooke Associates.

Figure 110.410.15.5

ACCESSIBLE ROUTES



Source: Sedway Cooke Associates.

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 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.
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.

DRAFT: September 7, 2018

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2018.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2018.

Vote:

Ayes:

Nays:

Absent:

Marsha Berkbigler, Chair
Washoe County Commission

ATTEST:

Nancy Parent, County Clerk

This ordinance shall be in force and effect from and after the _____ day of the month of _____ of the year _____.

208 Parking Spaces

208.1 General. Where parking *spaces* are provided, parking *spaces* shall be provided in accordance with 208.

EXCEPTION: Parking *spaces* used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles, or vehicular impound shall not be required to comply with 208 provided that lots accessed by the public are provided with a passenger loading zone complying with 503.

208.2 Minimum Number. Parking *spaces* complying with 502 shall be provided in accordance with Table 208.2 except as required by 208.2.1, 208.2.2, and 208.2.3. Where more than one parking *facility* is provided on a *site*, the number of *accessible spaces* provided on the *site* shall be calculated according to the number of *spaces* required for each parking *facility*.

Table 208.2 Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

Advisory 208.2 Minimum Number. The term "parking facility" is used Section 208.2 instead of the term "parking lot" so that it is clear that both parking lots and parking structures are required to comply with this section. The number of parking spaces required to be accessible is to be calculated separately for each parking facility; the required number is not to be based on the total number of parking spaces provided in all of the parking facilities provided on the site.

208.2.1 Hospital Outpatient Facilities. Ten percent of patient and visitor parking *spaces* provided to serve hospital outpatient *facilities* shall comply with 502.

Advisory 208.2.1 Hospital Outpatient Facilities. The term “outpatient facility” is not defined in this document but is intended to cover facilities or units that are located in hospitals and that provide regular and continuing medical treatment without an overnight stay. Doctors' offices, independent clinics, or other facilities not located in hospitals are not considered hospital outpatient facilities for purposes of this document.

208.2.2 Rehabilitation Facilities and Outpatient Physical Therapy Facilities. Twenty percent of patient and visitor parking *spaces* provided to serve rehabilitation *facilities* specializing in treating conditions that affect mobility and outpatient physical therapy *facilities* shall comply with 502.

Advisory 208.2.2 Rehabilitation Facilities and Outpatient Physical Therapy Facilities. Conditions that affect mobility include conditions requiring the use or assistance of a brace, cane, crutch, prosthetic device, wheelchair, or powered mobility aid; arthritic, neurological, or orthopedic conditions that severely limit one's ability to walk; respiratory diseases and other conditions which may require the use of portable oxygen; and cardiac conditions that impose significant functional limitations.

208.2.3 Residential Facilities. Parking *spaces* provided to serve residential *facilities* shall comply with 208.2.3.

208.2.3.1 Parking for Residents. Where at least one parking *space* is provided for each *residential dwelling unit*, at least one parking *space* complying with 502 shall be provided for each *residential dwelling unit* required to provide mobility features complying with 809.2 through 809.4.

208.2.3.2 Additional Parking Spaces for Residents. Where the total number of parking *spaces* provided for each *residential dwelling unit* exceeds one parking *space* per *residential dwelling unit*, 2 percent, but no fewer than one *space*, of all the parking *spaces* not covered by 208.2.3.1 shall comply with 502.

208.2.3.3 Parking for Guests, Employees, and Other Non-Residents. Where parking *spaces* are provided for persons other than residents, parking shall be provided in accordance with Table 208.2.

208.2.4 Van Parking Spaces. For every six or fraction of six parking *spaces* required by 208.2 to comply with 502, at least one shall be a van parking *space* complying with 502.

208.3 Location. Parking *facilities* shall comply with 208.3

208.3.1 General. Parking *spaces* complying with 502 that serve a particular *building* or *facility* shall be located on the shortest *accessible* route from parking to an *entrance* complying with 206.4. Where parking serves more than one *accessible entrance*, parking *spaces* complying with 502 shall be dispersed and located on the shortest *accessible* route to the *accessible entrances*. In parking

facilities that do not serve a particular *building* or *facility*, parking *spaces* complying with 502 shall be located on the shortest *accessible* route to an *accessible* pedestrian *entrance* of the parking *facility*.

EXCEPTIONS: 1. All van parking *spaces* shall be permitted to be grouped on one level within a multi-story parking *facility*.

2. Parking *spaces* shall be permitted to be located in different parking *facilities* if substantially equivalent or greater *accessibility* is provided in terms of distance from an *accessible entrance* or *entrances*, parking fee, and user convenience.

Advisory 208.3.1 General Exception 2. Factors that could affect “user convenience” include, but are not limited to, protection from the weather, security, lighting, and comparative maintenance of the alternative parking site.

208.3.2 Residential Facilities. In residential *facilities* containing *residential dwelling units* required to provide mobility features complying with 809.2 through 809.4, parking *spaces* provided in accordance with 208.2.3.1 shall be located on the shortest *accessible* route to the *residential dwelling unit entrance* they serve. *Spaces* provided in accordance with 208.2.3.2 shall be dispersed throughout all types of parking provided for the *residential dwelling units*.

EXCEPTION: Parking *spaces* provided in accordance with 208.2.3.2 shall not be required to be dispersed throughout all types of parking if substantially equivalent or greater *accessibility* is provided in terms of distance from an *accessible entrance*, parking fee, and user convenience.

Advisory 208.3.2 Residential Facilities Exception. Factors that could affect “user convenience” include, but are not limited to, protection from the weather, security, lighting, and comparative maintenance of the alternative parking site.

209 Passenger Loading Zones and Bus Stops

209.1 General. Passenger loading zones shall be provided in accordance with 209.

209.2 Type. Where provided, passenger loading zones shall comply with 209.2.

209.2.1 Passenger Loading Zones. Passenger loading zones, except those required to comply with 209.2.2 and 209.2.3, shall provide at least one passenger loading zone complying with 503 in every continuous 100 linear feet (30 m) of loading zone *space*, or fraction thereof.

209.2.2 Bus Loading Zones. In bus loading zones restricted to use by designated or specified public transportation vehicles, each bus bay, bus stop, or other area designated for lift or *ramp* deployment shall comply with 810.2.

Advisory 209.2.2 Bus Loading Zones. The terms “designated public transportation” and “specified public transportation” are defined by the Department of Transportation at 49 CFR 37.3 in regulations implementing the Americans with Disabilities Act. These terms refer to public transportation services provided by public or private entities, respectively. For example, designated public transportation vehicles include buses and vans operated by public transit agencies, while specified public transportation vehicles include tour and charter buses, taxis and limousines, and hotel shuttles operated by private entities.

**SECTION 1106
PARKING AND PASSENGER LOADING FACILITIES**

1106.1 Required.

Where parking is provided, *accessible* parking spaces shall be provided in compliance with Table 1106.1, except as required by Sections 1106.2 through 1106.4. Where more than one parking facility is provided on a *site*, the number of parking spaces required to be *accessible* shall be calculated separately for each parking facility.

Exception: This section does not apply to parking spaces used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles or vehicular impound and motor pools where lots accessed by the public are provided with an *accessible* passenger loading zone.

**TABLE 1106.1
ACCESSIBLE PARKING SPACES**

TOTAL PARKING SPACES PROVIDED	REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20, plus one for each 100, or fraction thereof, over 1,000

1106.2 Groups R-2 and R-3.

At least 2 percent, but not less than one, of each type of parking space provided for occupancies in Groups R-2 and R-3, which are required to have *Accessible, Type A or Type B dwelling or sleeping units*, shall be *accessible*. Where parking is provided within or beneath a building, *accessible* parking spaces shall also be provided within or beneath the building.

1106.3 Hospital outpatient facilities.

At least 10 percent, but not less than one, of care recipient and visitor parking spaces provided to serve hospital outpatient facilities shall be *accessible*.

1106.4 Rehabilitation facilities and outpatient physical therapy facilities.

At least 20 percent, but not less than one, of the portion of care recipient and visitor parking spaces serving rehabilitation facilities specializing in treating conditions that affect mobility and outpatient physical therapy facilities shall be *accessible*.

1106.5 Van spaces.

For every six or fraction of six *accessible* parking spaces, at least one shall be a van-accessible parking space.

Exception: In Group R-2 and R-3 occupancies, van-accessible spaces located within private garages shall be permitted to have vehicular routes, entrances, parking spaces and access aisles with a minimum vertical clearance of 7 feet (2134 mm).

1106.6 Location.

Accessible parking spaces shall be located on the shortest *accessible route* of travel from adjacent parking to an *accessible* building entrance. In parking facilities that do not serve a particular building, *accessible* parking spaces shall be located on the shortest route to an *accessible* pedestrian entrance to the parking facility. Where buildings have multiple *accessible* entrances with adjacent parking, *accessible* parking spaces shall be dispersed and located near the *accessible* entrances.

Exceptions:

1. In multilevel parking structures, van-accessible parking spaces are permitted on one level.
2. *Accessible* parking spaces shall be permitted to be located in different parking facilities if substantially equivalent or greater accessibility is provided in terms of distance from an *accessible* entrance or entrances, parking fee and user convenience.

1106.7 Passenger loading zones.

Passenger loading zones shall be *accessible*.

1106.7.1 Continuous loading zones.

Where passenger loading zones are provided, one passenger loading zone in every continuous 100 linear feet (30.4 m) maximum of loading zone space shall be *accessible*.

1106.7.2 Medical facilities.

A passenger loading zone shall be provided at an *accessible* entrance to licensed medical and long-term care facilities where people receive physical or medical treatment or care and where the period of stay exceeds 24 hours.

1106.7.3 Valet parking.

A passenger loading zone shall be provided at valet parking services.

1106.7.4 Mechanical access parking garages.

Mechanical access parking garages shall provide at least one passenger loading zone at vehicle drop-off and vehicle pickup areas.

**SECTION 1107
DWELLING UNITS AND SLEEPING UNITS**

1107.1 General.

In addition to the other requirements of this chapter, occupancies having *dwelling units* or *sleeping units* shall be provided with *accessible* features in accordance with this section.

1107.2 Design.

Dwelling units and *sleeping units* that are required to be *Accessible units*, *Type A units* and *Type B units* shall comply with the applicable portions of Chapter 10 of ICC A117.1. Units required to be *Type A units* are permitted to be designed and constructed as *Accessible units*. Units required to be *Type B units* are permitted to be designed and constructed as *Accessible units* or as *Type A units*.

1107.3 Accessible spaces.

Rooms and spaces available to the general public or available for use by residents and serving *Accessible units*, *Type A units* or *Type B units* shall be *accessible*. *Accessible* spaces shall include toilet and bathing rooms, kitchen, living and dining areas and any exterior spaces, including patios, terraces and balconies.

Exceptions:

1. Recreational facilities in accordance with Section 1109.15.
2. In Group I-2 facilities, doors to *sleeping units* shall be exempted from the requirements for maneuvering clearance at the room side provided the door is a minimum of 44 inches (1118 mm) in width.

1107.4 Accessible route.

At least one *accessible route* shall connect *accessible* building or facility entrances with the primary entrance of each *Accessible unit*, *Type A unit* and *Type B unit* within the building or facility and with those exterior and interior spaces and facilities that serve the units.

Exceptions:

1. If due to circumstances outside the control of the owner, either the slope of the finished ground level between *accessible* facilities and buildings exceeds one unit vertical in 12 units horizontal (1:12), or where physical barriers or legal restrictions prevent the installation of an *accessible route*, a vehicular route with parking that complies with Section 1106 at each *public* or *common use* facility or building is permitted in place of the *accessible route*.
2. Exterior decks, patios or balconies that are part of *Type B units* and have impervious surfaces, and that are not more than 4 inches (102 mm) below the finished floor level of the adjacent interior space of the unit.

Section 110.818.60 Technical Revision to Development Code.

- (a) Purpose of Technical Revision. The purpose of the technical revision section is to provide a streamlined process for adopting changes that have no independent substantive effect on the Development Code.
- (b) Requirements for Inclusion. To qualify as a technical revision under this section, the change must be:
- (1) Mandated by state law, whether by statute or court decision, and when no significant discretion can be exercised by the County;
 - (2) Mandated by federal law, whether by statute or court decision, and when no significant discretion can be exercised by the County;
 - (3) Required to avoid a sanction under federal law, and when no significant discretion can be exercised by the County;
 - (4) Required to avoid disqualification from a federal program, and when no significant discretion can be exercised by the County;
 - (5) To obtain a benefit under federal law, and when no significant discretion can be exercised by the County;
 - (6) Needed to conform to an action taken by another County agency even if that action does not result in a change in the Washoe County Code;
 - (7) Needed to conform to a name change or other change made in the Washoe County Code; or
 - (8) Needed to improve or clarify the Development Code when there is not substantive effect on the Development Code.
- (c) Administrative Process.
- (1) Initiating the Process. The Director of Community Development shall have the sole authority to initiate a technical revision to the Development Code.
 - (2) Transmittal to Board of County Commissioners. Upon making the findings required under subsection (d) of this section, the Director of Community Development shall forward the technical revision to the Board of County Commissioners.
- (d) Findings.
- (1) The Director of Community Development must find that the proposed technical revision meets one of the conditions enumerated under this section. If the enumerated condition is one of those set forth in Section 110.818.60 (b), subsection (1) through (5), the Director of Community Development must specifically identify the independent source of the substantive change the technical revision will have on the Development Code.

- (2) The Director of Community Development must also find that the proposed technical revision is consistent with all of the following:
- (i) Nevada Revised Statutes;
 - (ii) The Truckee Meadows Regional Plan;
 - (iii) The Washoe County Master Plan; and
 - (iv) The purposes of the Development Code.
- (3) If an independent legal authority mandates a change that is inconsistent with Nevada Revised Statutes, the Truckee Meadows Regional Plan, the Washoe County Master Plan, or the purposes of the Development Code; the Director of Community Development shall specifically identify that independent legal authority and the provision with which the technical revision will be inconsistent.
- (e) Action by Board of County Commissioners. The Board of County Commissioners shall review proposed technical revisions to the Development Code in conformance with this section.
- (1) Time Period for Hearing. The Clerk of the Board of County Commissioners shall schedule a public hearing before the Board of County Commissioners on the recommendation of approval by the Director of Community Development of a technical revision to the Development Code within thirty (30) days of the filing of the recommended technical revision with the Clerk of the Board of County Commissioners.
- (2) Notice of Introduction of Ordinance and Public Hearing. The introduction of the ordinance and public hearing on the ordinance shall be noticed as follows:
- (i) Notice to Planning Commission. A notice setting forth the date, time and place of the introduction of the ordinance concerning the technical revision to the Development Code shall be sent either by mail, or if requested by a Washoe County Planning Commission member, by electronic means if receipt of such an electronic notice can be verified, to every member of the Washoe County Planning Commission not less than ten (10) days prior to the scheduled introduction of the ordinance. The notice shall describe the proposed technical revision to the Development Code, including the specific language and other pertinent information, in such a manner that the proposed technical revision to the Development Code and its effect(s) can be clearly identified. Any objections or comments from members of the Planning Commission must be provided to the Director of Community Development or the Board of County Commissioners no later than at the introduction of the ordinance.
 - (ii) Notice to Citizen Advisory Boards. A notice setting forth the date, time and place of the introduction of the ordinance concerning the technical revision to the Development Code shall

be sent either by mail, or if requested by a citizen advisory board member, by electronic means if receipt of such an electronic notice can be verified, to every chairperson and member of a citizen advisory board created by the Board of County Commissioners not less than ten (10) days prior to the scheduled introduction of the ordinance. The notice to the chairperson shall describe the proposed technical revision to the Development Code, including the specific language and other pertinent information, in such a manner that the proposed technical revision to the Development Code and its effect(s) can be clearly identified. The notice to a citizen advisory board member, other than the chairperson, shall describe the proposed technical revision to the Development Code in such a manner that the proposed technical revision to the Development Code and its effect(s) can be clearly identified. Any objections or comments from members of a citizen advisory board must be provided to the Director of Community Development or the Board of County Commissioners no later than at the introduction of the ordinance.

(iii) Notice in Newspaper. A notice setting forth the date, time and place of the public hearing shall be published in a newspaper of general circulation in Washoe County not less than ten (10) days prior to the public hearing date. The notice shall describe the proposed technical revision to the Development Code and other pertinent information in such a manner that the Development Code amendment request and its effect(s) can be clearly identified.

(3) Board of County Commissioners' Action. The Board of County Commissioners may take final action to adopt or deny the technical revision to the Development Code. Final action to approve the technical revision shall require a simple majority vote of the total membership of the Board.



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

Attachment E

1001 EAST 9TH STREET
PO BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-6100
FAX (775) 328.6133

August 28, 2018

To: Memorandum for Record

From: Mojra Hauenstein, Division Director

Subject: Initiation of WDCA18-0004, Technical Revision to Development Code, Van Accessible Handicapped Parking Spaces

WCC Section 110.818.60(c)(1) provides that the sole authority to initiate a technical revision to WCC Chapter 110 (Development Code) is with the Director, Planning and Building Division. WCC Section 110.410.15(c)(1) requires revision to amend the number of van accessible handicapped parking spaces from eight to six. This revision is based on Section 208.2.4 of the 2010 U.S. Department of Justice Americans with Disabilities Act Standards, and on Section 1106.5, *Van Spaces*, of the 2012 International Building Code (adopted by reference into WCC Chapter 100, Building and Construction).

WCC Section 110.818.60(d) requires certain findings to be made by the Director in order to initiate a technical revision. This technical revision qualifies based on the following requirements:

1. Mandated by federal law, whether by statute or court decision, and when no significant discretion can be exercised by the County [WCC Section 110.818.60(b)(2); DOJ ADA standards]; and,
2. Needed to conform to an action taken by another County agency [WCC Section 110.818.60(b)(6); 2012 IBC adopted by reference into WCC Chapter 100].

The technical revision is consistent with all of the statutes, plans and codes outlined in WCC Section 110.818.60(d)(2). Therefore, this technical revision is initiated as WDCA18-0004 on August 31, 2018.



Director



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WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

Attachment F
1001 EAST 9TH STREET
PO BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-6100
FAX (775) 328.6133

August 29, 2018

SUSPENSE: SEPTEMBER 6, 2018

To: Washoe County Planning Commissioners

From: Bob Webb, Planning Manager

Subject: Technical Revision to Development Code, Van Accessible Handicapped Parking Spaces

Washoe County Code (WCC) Section 110.818.60 enables technical revisions to WCC Chapter 110 (Development Code) by the Director of the Planning and Building Division. Technical revisions are initiated by the Director and proceed directly to the Washoe County Board of County Commissioners (BCC) for a first and second reading. WCC Section 110.818.60(e) requires that Planning Commissioners be notified of the proposed technical revision and be provided the opportunity to provide objections or comments.

This memorandum describes a proposed technical revision involving the number of required van accessible handicapped parking spaces. The technical revision will be heard by the BCC for an introduction and first reading of the Development Code ordinance on October 9, 2018. The second reading and possible adoption of the ordinance is tentatively scheduled for October 23, 2018.

I request that you provide any objections or comments on the proposed technical revision to me no later than September 6, 2018. Any objections or comments will be included in my staff report to the BCC for the introduction and first reading of the ordinance as required by WCC Section 110.818.60(e)(i). You may e-mail objections/comments to me at bwebb@washoecounty.us, phone me at (775) 328-3623), or use postal mail at the PO Box mailing address found in the upper right hand corner of this memorandum.

I thank you in advance for your review and consideration of this technical revision.

PROPOSED TECHNICAL REVISION

Handicapped parking spaces are regulated within WCC Chapter 100 (Buildings and Construction) and the Development Code. Both WCC Chapters establish the handicapped parking spaces required for new development (Development Code) and new buildings or uses within a building (Building and Construction). Specific to this technical revision, WCC Section 110.410.15(c)(1) requires that one of every eight required handicapped parking spaces be a van accessible space (code extract appears below, highlights added).



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Memo to: Washoe County Planning Commissioners
Subject: Technical Revision to Development Code, Van Accessible Handicapped Parking Spaces
Date: August 29, 2018
Page: 2

Section 110.410.15 Special Parking Provisions.

- (c) Handicapped Parking. In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.
- (1) Handicapped parking spaces shall be provided in accordance with Table 110.410.15.1. **One (1) of every eight (8) required handicapped spaces shall be a van accessible space** (a minimum of one (1) van accessible space per parking area).

This section of the Development Code was last amended on July 7, 1993. Planning staff was informed by a concerned citizen that the 2010 U.S. Department of Justice (DOJ) Americans with Disabilities Act (ADA) Standards (Titles II and III) require that for every six handicapped parking spaces, at least one shall be a van parking space (section 208.2.4, see attached extract from DOJ ADA Chapter 2, highlights added).

The DOJ ADA Standards provide guidance to local jurisdictions, but do not carry the force of law when enforcing local jurisdiction development and building regulations. However, staff researched the 2012 International Building Code (IBC) for handicapped parking requirements and discovered that Section 1106.5, Van Spaces, requires that for every six handicapped accessible parking spaces, at least one shall be a van-accessible parking space (see attached extract from the 2012 IBC, highlights added).

The 2012 IBC was adopted by reference into WCC Chapter 100, so the IBC carries the force of law for building regulations within unincorporated Washoe County. Therefore the Development Code must be amended to conform to WCC Chapter 100. The specific technical revision to the Development Code appears below (highlights added):

Section 110.410.15 Special Parking Provisions.

- (c) Handicapped Parking. In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.
- (1) Handicapped parking spaces shall be provided in accordance with Table 110.410.15.1. **One (1) of every ~~six~~ ~~eight~~ (8) required handicapped spaces shall be a van accessible space** (a minimum of one (1) van accessible space per parking area).

The technical revisions will also make minor grammar edits within WCC Section 110.410.15 to eliminate duplicate numbering. Specifically, a reference to “one (1)” will be amended to read as “one”. Letters will be used for numbers from one to nine, and numbers for any number greater than 10.

Enclosures: as



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

1001 EAST 9TH STREET
PO BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-6100
FAX (775) 328.6133

August 29, 2018

SUSPENSE: SEPTEMBER 6, 2018

To: Washoe County Citizen Advisory Board Members

From: Bob Webb, Planning Manager

Subject: Technical Revision to Development Code, Van Accessible Handicapped Parking Spaces

Washoe County Code (WCC) Section 110.818.60 enables technical revisions to WCC Chapter 110 (Development Code) by the Director of the Planning and Building Division. Technical revisions are initiated by the Director and proceed directly to the Washoe County Board of County Commissioners (BCC) for a first and second reading. WCC Section 110.818.60(e) requires that Citizen Advisory Board Chairs and members be notified of the proposed technical revision and be provided the opportunity to provide objections or comments.

This memorandum describes a proposed technical revision involving the number of required van accessible handicapped parking spaces. The technical revision will be heard by the BCC for an introduction and first reading of the Development Code ordinance on October 9, 2018. The second reading and possible adoption of the ordinance is tentatively scheduled for October 23, 2018.

I request that you provide any objections or comments on the proposed technical revision to me no later than September 6, 2018. Any objections or comments will be included in my staff report to the BCC for the introduction and first reading of the ordinance as required by WCC Section 110.818.60(e)(ii). You may e-mail objections/comments to me at bwebb@washoecounty.us, phone me at (775) 328-3623, or use postal mail at the PO Box mailing address found in the upper right hand corner of this memorandum.

I thank you in advance for your review and consideration of this technical revision.

PROPOSED TECHNICAL REVISION

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