



Planning Commission Staff Report

Meeting Date: March 6, 2018

Agenda Item: 8C

DEVELOPMENT CODE AMENDMENT CASE NUMBER: WDC18-0003 (Recreational Marijuana)

BRIEF SUMMARY OF REQUEST: Proposed amendments to the Development Code to establish regulations for adult use recreational marijuana and medical marijuana.

STAFF PLANNER: Planner's Name: Chad Giesinger, AICP
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DESCRIPTION

Development Code Amendment Case Number WDC18-0003 (Recreational Marijuana) –

For possible action, hearing, and discussion to either deny or recommend approval to the Board of County Commissioners proposed amendments to Washoe County Code Chapter 110 (Development Code) at Articles 302 (Allowed Uses), 304 (Use Classification System), and 410 (Parking and Loading), to replace the existing Medical Marijuana Establishment use type with the new Marijuana Establishments use type to define the various types of marijuana establishments in accordance with state law, to designate the regulatory zones where both medical and adult use recreational marijuana businesses will be allowed in the county under state law, and to establish parking standards for new retail marijuana stores / medical dispensaries; and if approval is recommended, to authorize the Chair to sign a resolution to that effect.

Applicant: Washoe County
Location: County wide
Area Plan: Applicable to all Area Plans
Development Code: Authorized in Article 818, Amendment of the Development Code
Commission District: All Commission Districts

STAFF RECOMMENDATION

DENY

RECOMMEND APPROVAL

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission recommend approval of Development Code Amendment case WDC18-0003 to the Board of County Commissioners, and authorize the Chair to sign the attached resolution contained as Attachment A.

(Motion with Findings on Pages 5 and 6)

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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 Commission, the Washoe County Planning Commission, or an owner of real property. Development Code amendments are initiated by resolution of the Washoe County Commission or the Planning Commission. Real property owners may submit an application to initiate a Development Code amendment.

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

The Washoe County Commission hears all amendments recommended for approval, and amendments recommended for denial upon appeal. The County Commission 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. Unless otherwise specified, ordinances are effective 10 days after adoption.

Background and Proposed Amendments

Following up on the Medical Marijuana Act ballot initiative passed by voters in 2000, the 2013 Nevada Legislature approved Senate Bill 374 allowing for the legal use of medical marijuana by qualified patients. Upon passage of this bill, Washoe County approved ordinances to establish procedures and regulations for the establishment of medical marijuana businesses. These ordinances included amendments to the Development Code to set forth the regulatory zones where each type of medical marijuana business would be allowed, defined each type of allowed use, and established development standards for those uses. The first medical marijuana dispensary in Washoe County subsequently opened in 2015.

In 2016 Nevada voters approved a ballot initiative to legalize consumption and use of marijuana by adults aged 21 and over in Nevada. On January 1, 2017 the recreational use of marijuana became legal in the state of Nevada. Due to the short timeframe between voter approval and legalization, the State Department of Taxation adopted temporary regulations, referred to as a "quick start" program, to enable the production, distribution and sale of "recreational" marijuana by July 1, 2017 while the Department worked to formulate and adopt permanent regulations. In anticipation of the July 1, 2017 date set by the State, the County subsequently amended its existing medical marijuana establishment regulations contained in the Business License Ordinance in April of 2016 to allow for the temporary licensure of marijuana establishments by July 1, 2017 (to enable recreational sales). Only existing businesses with State certification for medical marijuana were allowed to apply for the temporary recreational business license. Because the "quick start" regulations were intended to be temporary, the Development Code was not amended at this time in order to ensure that any necessary changes to County Code would be based on permanent State regulations.

The Department of Taxation is now nearly complete with its permanent marijuana establishment regulations. The term “marijuana establishment” is the new definition being used by the State to encompass both medical and recreational marijuana businesses. The County Commission directed staff to update County Codes as required to address the legal sale and use of marijuana by adults (21 and over) in the context of the State’s permanent regulations. On December 19, 2017 the County Commission initiated code changes for Chapter 25 (Business License), Chapter 53 (Miscellaneous Crimes), and Chapter 110 (Development Code) to implement this direction.

PROPOSED AMENDMENTS

The intent of the proposed amendments, based on direction provided by the County Commission, is to regulate recreational marijuana businesses the same as existing medical marijuana businesses (to the extent possible). Therefore, the proposed Development Code amendments are mostly cosmetic and primarily involve changing existing medical marijuana terminology to the new terms used by the State in NRS 453D that encompass both medical and recreational marijuana businesses (for example “Marijuana Establishments”).

Regulations governing zoning, location (i.e. distancing requirements from community facilities and schools), and the approval / review process for new marijuana businesses will remain the same. A marijuana dispensary, now referred to as Retail Marijuana Store / Medical Dispensary, will still be allowed all commercial and industrial regulatory zones, and all other marijuana business activity will continue to be allowed in the General Commercial and Industrial regulatory zones. The approval / review process for new marijuana businesses will remain a business license function. All retail marijuana businesses in the unincorporated county must continue to be licensed for medical marijuana (i.e. cannot engage in recreational sales only). Proposed amendments to the Business License Ordinance (Chapter 25 of WCC) will create a single licensure procedure.

A slight increase to parking requirements for a new retail marijuana store / medical dispensary is proposed to accommodate the increased volume of potential clients enabled by legalization of recreational use. All existing marijuana businesses would be exempt from this requirement (i.e. they are “grandfathered” and have legal non-conforming status). The voter approved ballot initiative created a new use called “Marijuana Distributor” (similar to a wholesale liquor distributor), so that use has been added to the Table of Allowed Uses in Article 302 and to the use definitions in Article 304, Use Classification System. A “Marijuana Distributor” can only deliver wholesale directly to other marijuana businesses. There are now a total of 5 uses / businesses under the “Marijuana Establishment” use category; Marijuana Cultivation Facility, Marijuana Product Manufacturing Facility, Marijuana Testing Facility, Retail Marijuana Store / Medical Dispensary, and Marijuana Distributor. The complete draft ordinance is attached as Attachment A-1 to this staff report.

Findings

Washoe County Code Section 110.818.15(e) requires the Planning Commission to make at least one of the following findings of fact. Staff provides the following evaluation for each of the findings of fact and recommends that the Planning Commission make all four findings in support of the proposed Development Code amendment.

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan.

Staff comment: The proposed amendments are consistent with the policies and action programs of the Washoe County Master Plan. The amendments primarily involve

changes to terminology and nothing in the proposed ordinance language is inconsistent the Washoe County Master Plan.

2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code.

Staff comment: The proposed amendments promote the purpose of the Development Code by complying with and implementing State regulations.

3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones.

Staff comment: The proposed amendments respond to changed conditions by implementing the recently approved voter ballot initiative that legalized the adult use of recreational marijuana and the resulting NRS changes.

4. No Adverse Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Staff comment: The proposed amendments will have no affect on the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Public Notice

Pursuant to Washoe County Code Section 110.818.20, notice of this public hearing was published in the newspaper at least 10 days prior to this meeting, and the Chair and membership of all Citizen Advisory Boards were likewise notified of the public hearing. Such notification was accomplished and staff can provide proof of notification if requested.

A public workshop was held on February 7, 2018 to offer the general public the opportunity to comment on the proposed amendments. Staff did not receive any substantive comments during this workshop nor has staff received any comments from Citizen Advisory Board members.

Recommendation

It is recommended that the Washoe County Planning Commission recommend approval of WDCA18-0003, to amend Washoe County Chapter 110 (Development Code) at Article 302, Table of Allowed Uses, Article 304, Use Classification System, and Article 410, Parking and Loading. The following motion is provided for your consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA18-0003, to amend Washoe County Chapter 110 (Development Code) at Article 302, Table of Allowed Uses, Article 304, Use Classification System, and Article 410, Parking and Loading; and, to update these sections within the Development Code. I further move to authorize the Chair to sign the resolution contained as Attachment A on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within

60 days of today's date. This recommendation for approval is based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Appeal Process

An appeal of the Planning Commission's denial of a Development Code amendment may be made to the Washoe County Board of County Commissioners within 10 calendar from the date that the Planning Commission's decision is filed with the Secretary to the Planning Commission, pursuant to Washoe County Code Section 110.818.25 and Washoe County Code Section 110.912.20.

xc: Dave Solaro, Assistant County Manager
Nate Edwards, Deputy District Attorney
Mojra Hauenstein, Planning and Building Director
Bob Webb, Planning Manager



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING APPROVAL OF AN AMENDMENT TO THE WASHOE COUNTY DEVELOPMENT CODE AT ARTICLES 302 (ALLOWED USES), 304 (USE CLASSIFICATION SYSTEM), AND 410 (PARKING AND LOADING), TO REPLACE THE EXISTING MEDICAL MARIJUANA ESTABLISHMENT USE TYPE WITH THE NEW MARIJUANA ESTABLISHMENTS USE TYPE TO DEFINE THE VARIOUS TYPES OF MARIJUANA ESTABLISHMENTS IN ACCORDANCE WITH STATE LAW, TO DESIGNATE THE REGULATORY ZONES WHERE BOTH MEDICAL AND ADULT USE RECREATIONAL MARIJUANA BUSINESSES WILL BE ALLOWED IN THE COUNTY UNDER STATE LAW, AND TO ESTABLISH PARKING STANDARDS FOR NEW RETAIL MARIJUANA STORES / MEDICAL DISPENSARIES; AND OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 18-08

WHEREAS

- A. Development Code Amendment Case Number WDCA18-0003 came before the Washoe County Planning Commission for a duly noticed public hearing on March 6, 2018; and
- B. The Washoe County Planning Commission heard public comment and input from both staff and the public regarding the proposed Development Code Amendment; and
- C. The Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed Development Code Amendment; and
- D. Whereas, pursuant to Washoe County Code Section 110.818.15(e), the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Development Code Amendment Case Number WDCA18-0003:
 1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
 2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
 3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the

requested amendment allow for a more desirable utilization of land within the regulatory zones; and,

4. No Adverse Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Planning Commission recommends approval of the ordinance attached hereto as Attachment A-1.

A report describing this amendment, discussion at this public hearing, this recommendation, and the vote on the recommendation will be forwarded to the Washoe County Board of County Commissioners within 60 days of this resolution's adoption date.

ADOPTED on March 6, 2018.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

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 Development Code to replace existing terminology and regulations concerning medical marijuana with terminology and regulations for marijuana establishments, which incorporates both medical and adult recreational use of marijuana.

BILL NO. _____

ORDINANCE NO. _____

Title:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 302 (Allowed Uses), Article 304 (Use Classification System), and Article 410 (Parking and Loading), to provide for the regulation of medical marijuana establishments and adult use recreational marijuana businesses by replacing the existing medical marijuana establishment use type with the marijuana establishment use type to regulate both medical and adult use recreational marijuana businesses, and to establish parking standards for new retail marijuana stores / medical dispensaries; and to address other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. The Constitution of the State of Nevada Article 4, Section 38 directs the Nevada Legislature to provide for, among other things, the authorization of appropriate methods of supply of marijuana to patients authorized to use marijuana for medical purposes; and,

- B. NRS was amended by the 2013 Nevada Legislature at NRS Chapters 372A (Tax on Controlled Substances) and Chapter 453A (Medical Use of Marijuana) to provide for exemption from criminal prosecution and the certification, taxation and regulation of medical marijuana; and,
- C. NRS was amended by a voter approved initiative at the 2016 General Election to add a new section entitled Chapter 453D, Regulation and Taxation of Marijuana to provide for marijuana establishments that can grow, produce, distribute and offer marijuana and marijuana products for sale and consumption by individuals over the age of 21 in the State of Nevada; and,
- D. The Nevada Tax Commission adopted amendments to NAC to create Chapter 453D to allow the licensing of marijuana establishments and the Nevada Legislative Commission confirmed those amendments; and,
- E. To the extent that marijuana establishments, both medical and recreational, are registered or licensed, and authorized by the State of Nevada to operate in the unincorporated Washoe county, this Board desires to provide for their regulation to protect the public health and safety and general welfare of the citizens of Washoe county; and,
- F. Since the use, cultivation, distribution, production, possession and transportation of marijuana remains illegal under federal law, and marijuana remains classified as a "controlled substance" by both Nevada and federal law, this Board does not have the authority to (and nothing in this Ordinance is intended to) authorize, promote, condone or aid the production, distribution or possession of marijuana in violation of any applicable law; and,
- G. As the operation of a marijuana establishment is a revocable privilege and there is no property right for an individual or business to operate a marijuana establishment in the County; and,

- H. This Board did initiate the amendments contained in this ordinance on December 19, 2017 following the provisions of Washoe County Code Sections 2.030 and 2.040; and,
- I. The amendments and this ordinance were drafted in concert with the District Attorney, and the Washoe County Planning Commission held a duly noticed public hearing for WDCA18-0003 on **March 6, 2018**, and adopted Resolution Number 18-XX recommending adoption of this ordinance; and,
- J. 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,
- K. This Board 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 **110.302.05.3** of the Washoe County Code is hereby amended to read as follows:

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
Medical Marijuana Establishments																		
Medical Marijuana Cultivation Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Facility for the Production of Edible Marijuana or Marijuana-infused Products Marijuana Product Manufacturing Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Independent Testing Laboratory Marijuana Testing Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Medical Marijuana Dispensary Retail Marijuana Store / Medical Dispensary	--	--	--	--	--	--	--	--	--	A	A	A	A	--	--	--	--	--
Marijuana Distributor	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--

Medical Services	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	--	--	A	--	--	--	--
Nursery Sales																		
Retail	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Wholesale	S ₂	S ₂	S ₂	--	--	--	--	--	--	A	--	--	A	--	--	--	S ₂	A
Personal Services	--	--	--	--	--	--	P	P	P	A	A	A	--	--	--	--	--	--
Personal Storage	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	S ₂	--	A	--	--	--	--	--
Professional Services	--	--	--	--	--	--	P	P	P	A	A	--	P	--	--	--	--	--
Recycle Center																		
Full Service Recycle Center	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--
Remote Collection Facility	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	P	P	P	P	A	P	P	--	--	--
Residential Hazardous Substance Recycle Center	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	--	--	--	--
Repair Services, Consumer	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Retail Sales																		
Convenience	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	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); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit

SECTION 2. Section 110.304.25 of Washoe County Code is hereby amended to read as follows:

Section 110.304.25 Commercial Use Types. Commercial use types include the distribution and sale or rental of goods, and the provision of services other than those classified as civic or industrial use types. All permanent commercial uses are required to operate from a commercial structure.

- (a) Administrative Offices. Administrative offices use type refers to offices or private firms or organizations which are primarily used for the provision of executive, management or administrative services. Typical uses include administrative offices and services including travel, secretarial services, telephone answering, photocopying and reproduction, and business offices of public utilities, organizations and associations, or other use

classifications when the service rendered is that customarily associated with administrative office services.

- (b) Adult Characterized Business. Adult characterized business use type refers to uses defined in Washoe County Code, Chapter 25.
- (c) Animal Sales and Services. Animal sales and services use type refers to establishments or places of business primarily engaged in animal-related sales and services. Animals kept as domestic pets or as accessory uses to a residential use are regulated by the accessory use provisions of Article 330, Domestic Pets and Livestock. The following are animal sales and services use types:
 - (1) Commercial Kennels. Commercial kennels refers to kennel services for dogs, cats and similar animals. Typical uses include commercial animal breeding with four (4) or more animals (dogs), boarding kennels, pet motels, or dog training centers. Commercial kennels require a parcel size minimum of two-and-one-half (2.5) acres regardless of the regulatory zone within which it is located.
 - (2) Commercial Stables. Commercial stables refers to boarding or raising of three (3) or more horses, but excludes horses used primarily for agricultural operations which are classified under animal production. Typical uses include commercial stables, riding clubs and riding instruction facilities.
 - (3) Grooming and Pet Stores. Grooming and pet stores refers to grooming or selling of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons, pet grooming shops, or pet stores and shops.
 - (4) Pet Cemeteries. Pet cemeteries refers to services involving the preparation of dead animals for burial and the keeping of animal bodies on cemetery grounds as well as cremation of dead animals. Regardless of the regulatory zone in which it is located, a pet cemetery must be located on a parcel at least two-and-one-half (2.5) acres in size. Cremation of dead animals shall take place in an area designated only for the cremation of pets and which complies with any applicable federal or state statute or regulation or local ordinance.
 - (5) Veterinary Services, Agricultural. Veterinary services, agricultural refers to veterinary services specializing in the care and treatment of large animals. Veterinary services for small animals including pet clinics, dog and cat hospitals, or

animal hospitals may be included to provide full veterinary services. Veterinary services, agriculture requires a parcel size minimum of two-and-one-half (2.5) acres regardless of the regulatory zone within which it is located. Typical uses include veterinary offices for livestock.

- (6) Veterinary Services, Pets. Veterinary services, pets refers to veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals, or animal hospitals.
 - (7) Dog Training Services. Dog training services use type means the training of dogs with their owners or owners' designee, where both owner and dog participate in dog training classes.
- (d) Automotive and Equipment. Automotive and equipment use type refers to establishments or places of business primarily engaged in automotive-related or heavy equipment sales or services. The following are automotive and equipment use types:
- (1) Automotive Repair. Automotive repair refers to repair of automobiles and the sale, installation and servicing of automobile equipment and parts. Typical uses include muffler shops, automobile repair garages or automobile glass shops.
 - (2) Automotive Sales and Rentals. Automotive sales and rentals refers to on-site sales and/or rentals of automobiles, non-commercial trucks, motorcycles, motor homes and trailers together with incidental maintenance. Typical uses include automobile dealers, car rental agencies, or recreational vehicle sales and rental agencies.
 - (3) Cleaning. Cleaning refers to washing and polishing of automobiles. Typical uses include automobile laundries or car washes.
 - (4) Commercial Parking. Commercial parking refers to parking of operable motor vehicles on a temporary basis within a privately owned off-street parking area with or without a fee. Commercial parking is that which is not designated for any identified use. Typical uses include commercial parking lots or garages.
 - (5) Equipment Repair and Sales. Equipment repair and sales refers to repair of motor vehicles such as aircraft, boats, recreational vehicles, trucks, etc.; the sale, installation and servicing of automobile equipment and parts; and body repair, painting and

steam cleaning. Typical uses include truck transmission shops, body shops, storage of manufactured homes, motor freight maintenance groups or agricultural equipment sales.

- (6) Fabricated Housing Sales. Fabricated housing sales refers to the sales of new and used modular housing, manufactured homes and/or mobile homes; and ancillary minor repair of modular housing, manufactured homes and/or mobile homes sold from the same location as the new or used units. Typical uses include mobile homes sales lots and minor repairs of units sold on site that do not include changes in walls and do not include changes in undercarriage plumbing or support systems.
- (7) Storage of Operable Vehicles. Storage of operable vehicles refers to storage of operable vehicles, recreational vehicles and boat trailers. Typical uses include storage areas within personal storage facilities and storage yards for commercial vehicles.
- (8) Truck Stops. Truck stops refers to businesses engaged in the sale of fuel and lubricants primarily for trucks, routine repair and maintenance of trucks, and associated uses such as selling food and truck accessories.
- (e) Building Maintenance Services. Building maintenance services use type refers to establishments primarily engaged in the provision of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape maintenance or window cleaning services.
- (f) Commercial Centers. Commercial centers use type refers to a group of unified commercial establishments built on a site which is planned, developed, owned and managed as an operating unit. The following are commercial center use types:
 - (1) Neighborhood Centers. Neighborhood centers refers to sales of convenience goods (foods, drugs and sundries) and personal services, those which meet the daily needs of an immediate neighborhood trade area. A neighborhood center typically includes convenience retail and services a population of 2,500 to 40,000 people, typically has a service area radius of one-half to one-and-one-half miles, and has a typical range of 15,000 to 50,000 square feet of gross leasable area.
 - (2) Community Centers. Community centers refers to shopping establishments containing some services of

the neighborhood center plus other services providing a greater depth and range of merchandise than contained in the neighborhood center. A community center may be built around a department store or a variety store as the major tenant. A community center generally serves a trade area population of 40,000 to 50,000 people, typically has a service area radius of one to three miles, and has a typical range of 50,000 to 150,000 square feet of gross leasable area.

- (3) Regional Centers. Regional centers refers to centers that provide shopping goods, general merchandise, apparel, furniture and home furnishings in full depth and variety. They usually are built around more than one department store. Typical design uses the pedestrian mall, either open or enclosed, as a connector between major anchor stores. A regional center serves as a major commercial center for the entire region and typically has more than 150,000 square feet of gross leasable area.
- (g) Commercial Educational Services. Commercial educational services use type refers to educational services provided by private institutions or individuals with the primary purpose of preparing students for jobs in trade or profession. Typical uses include business and vocational schools, music schools and hair styling schools.
- (h) Commercial Recreation. Commercial recreation use type refers to commercial establishments or places of business primarily engaged in the provision of sports, entertainment or recreation for participants or spectators. The following are commercial recreation use types:
 - (1) Commercial Campground Facilities/RV Park. Commercial campground facilities/RV park refers to areas and services for two (2) or more campsites, accommodating camping vehicles and tents, which are used by the general public as temporary living quarters for recreational purposes. Typical uses include recreational vehicle campgrounds.
 - (2) Destination Resorts. Destination resorts refers to commercial enterprises for recreation that can include lodging. Typical uses include ski resorts, dude ranches, and hunting and fishing lodges.
 - (3) Indoor Entertainment. Indoor entertainment refers to predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, meeting halls and dance halls.
 - (4) Indoor Sports and Recreation. Indoor sports and recreation refers to predominantly participant sports

conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, indoor racquetball courts and athletic clubs.

- (5) Limited Gaming Facilities. Limited gaming facilities refers to establishments which contains no more than fifteen (15) slot machines (and no other game or gaming device) where the operation of the slot machine is incidental to the primary business of the establishment.
- (6) Marinas. Marinas refers to docking, storage, rental and minor repair of recreational and fishing boats. Typical uses include recreational boat marinas and boat rental establishments.
- (7) Outdoor Entertainment. Outdoor entertainment refers to predominantly spectator-type uses conducted in open or partially enclosed or screened facilities. Typical uses include sports arenas, racing facilities and amusement parks.
- (8) Outdoor Sports and Recreation. Outdoor sports and recreation refers to predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools and tennis courts.
- (9) Outdoor Sports Club. Outdoor sports club refers to sports clubs using agricultural land or open space for hunting, shooting or fishing purposes. Typical uses include duck clubs, hunting clubs, skeet clubs and rifle ranges.
- (10) Unlimited Gaming Facilities. Unlimited gaming facilities refers to an establishment which contains fifteen (15) or more electronic gaming devices or operation of other gaming devices as authorized by the State of Nevada.
- (i) Communication Facilities. Communication facilities use type refers to establishments primarily engaged in the transmission and/or receiving of electromagnetic waves. Typical uses include television stations, radio stations, satellite dishes, antennas and wireless communication facilities. Refer to Article 324, Communication Facilities, for subcategories of communication facilities.
- (j) Construction Sales and Services. Construction sales and services use type refers to establishments or places of business primarily engaged in construction activities and incidental storage, as well as the retail or wholesale sale

from the premises, of materials used in the construction of buildings or other structures. This use type does not include retail sales of paint, fixtures and hardware, or those uses classified as one of the automotive and equipment use types. This use type does not refer to actual construction sites. Typical uses include tool and equipment rental, or sales and building material stores.

- (k) Continuum of Care Facilities, Seniors. Continuum of care facilities for seniors use type refers to establishments that provide range housing, activities and health services to allow for adults to age in place. Residential density and parking standards shall be determined in the special use permit process; all other development standards shall apply. Facilities may include independent living, assisted living, nursing care, and hospice care as well as accessory housing for staff, and medical facilities and services for residents.
- (l) Convention and Meeting Facilities. Convention and meeting facilities use type refers to establishments which primarily provide convention and meeting facilities. Typical uses include convention facilities and wedding chapels.
- (m) Data Center. Data Center use type refers to establishments or places of business primarily engaged in the storage/housing of equipment, such as computers, servers, switches, routers, data storage devices, and related equipment for the purpose of storing, managing, processing, and exchanging of digital data and information.
- (n) Eating and Drinking Establishments. Eating and drinking establishments use type refers to establishments or places of business primarily engaged in the sale of prepared food and beverages for on-premises consumption, but excludes those uses classified under the liquor sales use type. The following are eating and drinking establishments use types:
 - (1) Convenience. Convenience refers to establishments or places of business primarily engaged in the preparation and retail sale of food and beverages, have a short customer turnover rate (typically less than one hour), and may include sales of alcoholic beverages. Typical uses include drive-in and fast-food restaurants, ice cream parlors, sandwich shops and delicatessens.
 - (2) Full Service. Full service refers to establishments or places of business primarily engaged in the sale of prepared food and beverages on the premises, which generally have a customer turnover rate of one hour or longer, and which include sales of alcoholic beverages at the table or at a bar as an accessory or secondary

service. Typical uses include full-service restaurants.

- (o) Financial Services. Financial services use type refers to establishments primarily engaged in the provision of financial and banking services. Typical uses include banks, savings and loan institutions, loan and lending activities, and check cashing facilities.
- (p) Funeral and Interment Services. Funeral and interment services use type refers to provision of services involving the care, preparation or disposition of human dead. The following are funeral and interment services use types:
 - (1) Cemeteries. Cemeteries refers to undertaking services and services involving the keeping of bodies provided on cemetery grounds. Typical uses include crematoriums, mausoleums and columbariums.
 - (2) Undertaking. Undertaking refers to services involving the preparation of the dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.
- (q) Gasoline Sales and Service Stations. Gasoline sales and service stations use type refers to retail sales of petroleum products from the premises of the establishment and incidental sale of tires, batteries, replacement items, lubricating services and minor repair services. Typical uses include automobile service stations.
- (r) Helicopter Services. Helicopter services use type refers to areas used by helicopter or steep-gradient aircraft. The following are helicopter services use types:
 - (1) Heliport. Heliport refers to areas used by helicopters or by other steep-gradient aircraft, which includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, hangers and other accessory buildings, and open space.
 - (2) Helistop. Helistop refers to areas on a roof or on the ground used by helicopters or steep-gradient aircraft for the purpose of picking up or discharging passengers or cargo, but not including fueling service, maintenance or overhaul.
- (s) Liquor Manufacturing. Liquor manufacturing refers to the brewing, distillation, making, and/or manufacture of intoxicating liquors on the premises of the establishment. The resulting liquor products may be sold at retail to the public for on-site consumption and/or for off-site

consumption. The liquor products may also be sold to licensed importer and/or wholesaler liquor dealers, with or without sales to the public. Liquor manufacturing may be in conjunction with another commercial use type, such as a full service eating and drinking establishment. Typical uses include brew pubs, breweries, craft distilleries, and wine makers.

- (t) Liquor Sales. Liquor sales use type refers to retail sales of alcoholic beverages, as defined in Chapter 30 of County Code (Intoxicating Liquor and Gaming Licenses and Regulations), to the public. The following are liquor sales use types:
- (1) Off-Premises. Off-premises refers to the retail sale of alcoholic beverages to the public for off-site consumption, but excludes uses classified under the retail sales use type. Typical uses include stores that sell packaged liquor.
 - (2) On-Premises. On-premises refers to the retail sale of alcoholic beverages to the public for on-site consumption, but excludes uses classified under the eating and drinking establishments use type. Typical uses include bars, taverns, cabarets, and casino service bars.
- (u) Lodging Services. Lodging services use type refers to establishments primarily engaged in the provision of lodging on a less-than-weekly basis within incidental food, drink, and other sales and services intended for the convenience of guests, but excludes those classified under residential group home and commercial recreation. The following are lodging services use types:
- (1) Bed and Breakfast Inns. Bed and breakfast inns refers to single family dwellings with guest rooms (no cooking facilities in guest rooms) where, for compensation, meals and lodging are provided.
 - (2) Condominium Hotel. Condominium hotel refers to temporary residences for transient guests, primarily persons who have residence elsewhere, with access to each room through an interior hall and lobby or outside porch or landing, and when the hotel rooms are owned as separate real estate; and the remainder of the property including amenities, open space, etc. is either owned in common by the hotel room owners and managed by an association, or owned by a separate entity in which a fee for use of the amenities, open space, etc. may or may not be charged the hotel room owners.

- (3) Hostels. Hostels refers to supervised transient facilities offering dormitory type lodging, usually with a minimum of facilities.
- (4) Hotels and Motels. Hotels and motels refers to temporary residences for transient guests, primarily persons who have residence elsewhere, with access to each room through an interior hall and lobby or outside porch or landing.
- (5) Vacation Time Shares. Vacation time shares refers to real properties that are subject to a time share program.
- (v) ~~Medical Marijuana Establishments.~~ **Medical A** marijuana establishment ~~use type~~, as defined **and authorized** by NRS 453A **and NRS 453D**, refers to commercial establishments, facilities, or places of business primarily engaged in the cultivation, production, acquisition, **testing**, supply, sale or distribution of ~~medical~~ marijuana products and related supplies and services, **either for medical or adult recreational use.** All ~~medical~~ marijuana establishments must be ~~registered and/or certified with the State Division of Public and Behavioral Health of the Department of Health and Human Services "Division"~~ **licensed by the Department of Taxation ("Department").** A business may ~~register be licensed~~ with the ~~Division~~ **Department** to act as more than one of the ~~medical~~ marijuana establishment use types listed below in subsections one (1) through ~~four (4)~~ **Five (5).** **Marijuana Establishments are not allowed as home based business.** The following are ~~medical~~ marijuana establishment use types:
- (1) ~~Medical Marijuana Cultivation Facility.~~ **Medical A** marijuana cultivation facility, as defined by NRS 453A **and/or 453D**, refers to a business that ~~acquires, possesses, cultivates, delivers, transfers, transports, supplies or sells marijuana and related supplies to medical marijuana dispensaries, facilities for the production of edible marijuana products or marijuana infused products, or other cultivation facilities~~ **licensed as either a medical marijuana cultivation facility or as a marijuana cultivation facility, or both, which is authorized to cultivate, process, and package marijuana, to have marijuana tested by a marijuana testing facility, and to sell marijuana to retail marijuana stores / medical dispensaries, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.**
- (2) ~~Facility for the Production of Edible Marijuana Products or Marijuana infused Products~~ **Marijuana Product Manufacturing Facility.** ~~Facility for the~~

~~production of edible marijuana products or marijuana-infused products~~ **A marijuana product manufacturing facility**, as defined by NRS 453A and/or 453D, refers to a business that ~~acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells edible marijuana products or marijuana-infused products to medical marijuana dispensaries licensed as a facility for the production of edible marijuana products or marijuana-infused products, and/or as a marijuana product manufacturing facility, which is authorized to purchase marijuana, manufacture, process, and package marijuana and marijuana products, and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores / medical dispensaries, but not to consumers.~~

- (3) ~~Independent Testing Laboratory~~ **Marijuana Testing Facility**. ~~Independent testing laboratory~~ **A marijuana testing facility**, as defined by NRS 453A and/or 453D, refers to ~~private, and independent testing laboratories to test marijuana, edible marijuana products and marijuana-infused products that are to be sold in the State of Nevada~~ a business licensed as a ~~medical marijuana independent testing laboratory and/or as a marijuana testing facility, which is authorized to test marijuana and marijuana products, including for potency and contaminants.~~
- (4) ~~Medical Retail Marijuana Store / Medical Dispensary~~. ~~Medical~~ **A retail marijuana store / medical dispensary**, as defined by NRS 453A and/or 453D, refers to a business that ~~acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to the holder of a valid registry identification card issued by the Division licensed as either a medical marijuana dispensary or as a retail marijuana store / medical dispensary, which is authorized to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities and retail marijuana stores / medical dispensaries, and to sell marijuana and marijuana products to consumers. In order to operate as a retail marijuana store for adult recreational use, the business must retain State licensure as a medical marijuana dispensary to continue business operations in the unincorporated County.~~
- (5) **Marijuana Distributor**. ~~A marijuana distributor, as defined by NRS 453D and WCC 25.708(2), refers to a business licensed to transport marijuana from a marijuana establishment to another marijuana~~

establishment. A marijuana distributor license provides for the transport of both medical and recreational (adult use) marijuana, marijuana products and/or marijuana paraphernalia to marijuana establishments located within the unincorporated County.

- (a) A retail marijuana store / medical dispensary is not required to obtain a marijuana distributor license to transport marijuana or marijuana products directly to consumers.
 - (b) Marijuana distributors will only transport marijuana, marijuana products and/or marijuana paraphernalia following the provisions of NRS Chapter 453D and NAC Chapter 453D.
 - (c) Wholesale intoxicating liquor dealers licensed pursuant to NRS Chapter 369 applying for a marijuana distributor license must possess a valid and current County Importer / Wholesaler intoxicating liquor license.
- (w) Medical Services. Medical services use type refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment, or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provision of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical offices, dental laboratories, health maintenance organizations, immediate care facilities or sports medicine facilities.
- (x) Nursery Sales. Nursery sales use type refers to the sales of plants, flowers and related nursery items. The following are nursery sales use types:
- (1) Retail. Retail refers to retail sale of plants and flowers and related nursery items. Typical uses include retail nurseries and home garden stores.
 - (2) Wholesale. Wholesale refers to wholesaling of plants and flowers, with incidental retail sales. Typical uses include wholesale nurseries.
- (y) Personal Services. Personal services use type refers to establishments primarily engaged in the provision of informational, instructional, personal improvement and similar services of a non-professional nature, but excludes services classified as commercial recreation or lodging services. Typical uses include photography studios, driving schools or weight loss centers.

- (z) Personal Storage. Personal storage use type refers to storage services primarily for personal effects and household goods within an enclosed storage area having individual access, but excludes workshops, hobby shops, manufacturing or commercial activity. Typical uses include mini-warehouses.
- (aa) Professional Services. Professional services use type refers to establishments which provide professional services to individuals or businesses, but excludes offices servicing walk-in customers which are classified under the administrative offices use type. Typical uses include law offices, real estate offices, insurance offices and architectural firms.
- (bb) Recycle Center. Recycle center use type refers to facilities for the collection, as a commercial enterprise, of household recyclables such as newspapers, bottles and cans. Recycle centers do not include recycle facilities existing as a part of a refuse pickup service or recycle bins used for donations to non-profit organizations. The following are recycle center use types:
- (1) Full Service Recycle Center. Full service recycle center refers to large, fully attended recycle centers accepting paper, plastic and glass household recyclables and may include processing or sorting of the recyclables.
 - (2) Remote Collection Facility. Remote collection facility refers to a center for the acceptance, by redemption or purchase, of recyclable materials from the public. Such a facility does not process the recyclables on site. Typical uses include reverse vending machines.
 - (3) Residential Hazardous Substance Recycle Center. Residential hazardous substance recycle center refers to specialized recycling centers that receive household hazardous substances such as household paint, household cleaners and automobile engine oil.
- (cc) Repair Services, Consumer. Repair services, consumer use type refers to establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excludes automotive repair. Typical uses include appliance repair shops, apparel repair firms or instrument repair firms.
- (dd) Retail Sales. Retail sales use type refers to retail sales of commonly used goods and merchandise, either free-standing or within a commercial center, but excludes those uses classified under other use types. The following are retail sales use types:

- (1) Convenience. Convenience refers to establishments which provide a limited number of frequently or recurrently needed personal items or services for residents of an immediate neighborhood. Typical uses include convenience stores, small grocery stores, barber shops, beauty parlors, dry cleaners and self-service laundromats.
- (2) Specialty Stores. Specialty stores refers to establishments which provide a variety of retail or personal services needs for residents in the larger community area. Typical uses include supermarkets, super drugs stores, clothing boutiques, antiques, bookstores, furniture stores and auto parts.
- (3) Comparison Shopping Centers. Comparison shopping centers refers to retail establishments that provide a wide variety of retail and personal services that cater to the regional needs. Typical uses include full-line department stores and warehouse-styled retail outlets.
- (ee) Secondhand Sales. Secondhand sales use type refers to establishments primarily engaged in the sale of goods and merchandise which are not being sold for the first time, but excludes those classified as animal sales and services and automotive and equipment. Typical uses include secondhand stores and thrift shops.
- (ff) Transportation Services. Transportation services use type refers to establishments which provide private transportation of persons and goods. Typical uses include taxi services and commercial postal services.
- (gg) Winery. The Winery use type refers to a facility comprising the building(s) or space used to make wine as an alcoholic beverage obtained by the fermentation of the natural content of fruits or other agricultural products containing sugar. A winery includes crushing of fruit, fermenting, bottling, blending, bulk and bottle storage, aging, shipping and receiving of wine making materials, laboratory equipment, associated maintenance equipment, and administrative office functions related to the operation of the winery. A winery may or may not have a vineyard associated with it and may include a public tasting room and the sale of merchandise related directly to the winery. A winery may only sell at retail by the bottle or serve by the glass, on its premises, wine produced, blended, or aged on site by the winery subject to any limitations set forth in NRS 597.240.

A winery may be established as a stand-alone principal use type or in combination with residential or other authorized use types. The growing of grapes for use in a winery use

type or in wine making is classified as Crop Production, a separate Agricultural Use Type. Wine making in the urban, commercial or industrial regulatory zones, or in conjunction with the manufacture of other types of intoxicating liquor, is classified as Liquor Manufacturing, a separate Commercial Use Type. Any allowed winery use type requires the issuance of the appropriate Washoe County business and liquor licenses pursuant to Chapters 25 and 30 of this Code. The business license application process for an allowed winery shall include the noticing of all adjacent property owners within 500 feet of the subject parcel, homeowners associations or Architectural Control Committees that are registered with the Building and Safety Division which have an interest in the subject parcel, and any properties that share a privately maintained access road to the subject parcel. Review and approval of a business license application to establish a winery shall include, at a minimum, review by the Washoe County Health District, the fire department of jurisdiction, and any General Improvement District with jurisdiction.

Winery with Special Events. Except in the Suburban Residential regulatory zone, a winery approved through an Administrative Permit may include, as part of the Administrative Permit application, provisions for conducting recurring special events as ancillary uses to the principal Winery use. "Special event" means an assembly of less than 100 persons on any one day of the event. Such recurring special events may include, but are not limited to, weddings, tours, promotional events, entertainment (indoor or outdoor), wine and food pairings, and craft fairs. Recurring special events proposed in conjunction with a Winery use must be included in the Administrative Permit application authorizing the Winery use. New or amended proposals for special events shall require either an amendment to the existing Administrative Permit (i.e. Amendment of Conditions) or a separate application for a Temporary Special Event Business License pursuant to Chapter 25 of this Code through the Business License division.

SECTION 3. Section 110.410.10.3 of the Washoe County Code is hereby amended to read as follows:

Table 110.410.10.3 (continued)

OFF-STREET PARKING SPACE REQUIREMENTS (Commercial Use Types)
(See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Lodging Services			
Bed and Breakfast Inns		1	1 per room
Hostels		1	.25 per bed
Hotels and Motels		1	1 per room
Vacation Time Shares			1.6 for 1 bedroom units, 2.1 for 2 bedroom and larger units; 1 of which must be in an enclosed garage or carport
Medical Marijuana Establishments			
Medical Marijuana Cultivation Facility		1	
Facility for the Production of Edible or Infused Marijuana Products - Marijuana Product Manufacturing Facility		1	
Independent Testing Laboratory - Marijuana Testing Facility		1	
Medical Retail Marijuana Store / Medical Dispensary	35	1	
Medical Services	5	1	
Nursery Sales			
Retail	3	1	
Wholesale	3	1	
Personal Services	4		
Personal Storage		1	1 loading space per unit, internal access drives may be used
Professional Services	4	1	
Recycle Center			
Full Service Recycle Center	3	1	
Remote Collection Facility			3 spaces per collective device
Residential Hazardous Substance Recycle Center	3	1	
Repair Services, Consumer	2.5	1	

Retail Sales			
Comparison Shopping Centers	3	1	
Convenience	5	1	
Specialty Stores	3	1	
Secondhand Sales	2.5	1	
Transportation Services		1	

SECTION 4. 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: February 6, 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 _____.