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STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **03/17/2006 - 03/24/2006**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: _____

[Handwritten Signature]

MAR 27 2006

TANA CICCOTTI
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 02-75259-2 - Expires **May 16, 2006**

[Handwritten Signature]

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1290 NOTICE IS HEREBY GIVEN THAT: Bill No. 1468, Ordinance No. 1290 entitled An Ordinance amending provisions relating to Washoe County Code, Chapter 110, Article 220, 406 and 902, by limiting the size of garages built on the front property line, to include setback requirements from streets, modification of detached accessory structures siting requirements; Article 406 Building Placement Standard, to require a setback on any easement that is maintained by the County; Article 902 Definitions, to clarify that a corner lot may exist when one street curves around a lot but does not front on two or more streets; and other matters properly relating thereto. was adopted on March 14, 2006 by Commissioners Galloway, Humke, Larkin, Sferrazza, and Weber. This ordinance shall be in full force and effect from and after March 24, 2006. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street Reno, Nevada, and can be found on the County Clerk's website, www.washoecounty.us/clerks. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 208892 March 17, 24, 2006

SUMMARY: Amends Washoe County Code by limiting the size of garages built on the front property line in the Tahoe Area, to include setback requirements from streets, modification of detached accessory structures siting requirements; to require a setback on any easement that is maintained by the County; to clarify that a corner lot may exist when one street curves around a lot but does not front on two or more streets; and other matters properly relating thereto.

BILL NO. 1468

ORDINANCE NO. 1290

AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 220, 406 AND 902, BY LIMITING THE SIZE OF GARAGES BUILT ON THE FRONT PROPERTY LINE, TO INCLUDE SETBACK REQUIREMENTS FROM STREETS, MODIFICATION OF DETACHED ACCESSORY STRUCTURES SITING REQUIREMENTS; ARTICLE 406 BUILDING PLACEMENT STANDARD, TO REQUIRE A SETBACK ON ANY EASEMENT THAT IS MAINTAINED BY THE COUNTY; ARTICLE 902 DEFINITIONS, TO CLARIFY THAT A CORNER LOT MAY EXIST WHEN ONE STREET CURVES AROUND A LOT BUT DOES NOT FRONT ON TWO OR MORE STREETS; AND OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1.

Article 220, "Tahoe Area" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit A, which is attached and incorporated by reference.

SECTION 2.

Article 406, "Building Placement Standards" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit B, which is attached and incorporated by reference.

SECTION 3.

Article 902, "Definitions" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit C, which is attached and incorporated by reference.

Proposed on the 28th day of FEBRUARY, 2006.
Proposed by Commissioner GALLOWAY
Passed on the 14th day of MARCH, 2006.

Vote:

Ayes: GALLOWAY, HUMKE, LARKIN,
SFERRAZZA, & WEBER

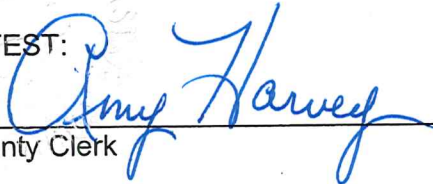
Nays: (NONE)

Absent: (NONE)



Robert Larkin, Chairman
Washoe County Commission

ATTEST:



County Clerk

This ordinance shall be in force and effect from and after the 24th day of
MARCH, 2006.

Article 220

TAHOE AREA

Sections:

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

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

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

[Amended by Ord. 1017, provisions eff. 6/1/98.]

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

[Amended by Ord. 982, provisions eff. 6/1/97.]

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

[Added by Ord. 1017, provisions eff. 6/1/98.]

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

- (a) **Property Line Setback.** Accessory structures one (1) story in height, with maximum ten (10) feet high walls (measured from grade level to top plate) and a maximum roof pitch of 7/12, shall maintain a five (5) foot minimum setback from the rear and side property line. When the height of an accessory structure

exceeds this height limitation, the structure shall maintain the yard setbacks for the main dwelling units stipulated in Article 406, Building Placement Standards.

(b) Height and Story Limit.

- (1) The maximum building height for any accessory structure erected outside the required yard setbacks shall be calculated by the Tahoe Regional Planning Agency Ordinance, Chapter 22, Height Standards, in effect at the time of issuance of a building permit.
- (2) An accessory structure within the front yard shall not exceed one (1) story.
- (3) An accessory structure may be two (2) stories in height when the main dwelling unit is two (2) stories, the structure is erected outside the required yard setbacks, and the slope of the front half of the lot is greater than a two (2) foot rise (or fall) for every ten (10) feet above (or below) the established street grade.
 - (i) Plumbing shall be limited to one (1) sink unit and one (1) toilet; and
 - (ii) A deed restriction must be recorded on the property declaring the space shall not be used in a fashion as to constitute a secondary residence or separate residential unit. The area shall not be leased, rented or used separate from the primary residence on the property.

(c) Below Grade Story. When the structure is at or below street grade, a first story may be constructed below grade providing the ceiling height is no greater than nine-and-one-half (9.5) feet.

- (1) Plumbing shall be limited to one (1) sink unit and one (1) toilet; and
- (2) A deed restriction must be recorded on the property declaring the space shall not be used in a fashion as to constitute a secondary residence or separate residential unit. The area shall not be leased, rented or used separate from the primary residence on the property.

(d) Siting. Any accessory structure shall comply with the following siting requirements:

- (1) In the case of a corner lot abutting two (2) streets, no detached accessory structure shall be erected so as to encroach upon the front yard setbacks; and
- (2) A detached accessory structure, used as a private garage, may be built to the front property line on any corner lot when built no closer than sixty (60) feet from the corner, and on any interior or through lot where the slope of the front half of the lot is greater than a two (2) foot rise (or fall) for every ten (10) feet above (or below) the established street grade. The structure shall conform to the height and story limits provided within this section.

- (i) The Engineering Division must be able to determine that County snow removal operations will not be impeded or sufficient measures have been incorporated in the structure's design to mitigate an impediment to County snow removal operations and/or the County has been held harmless from liability resulting from its snow removal operations;
- (ii) The Engineering Division must be able to determine that the speed of traffic and the volume of traffic on the street is such that the placing of the garage at the property line will not cause a safety problem for vehicles using the street; and
- (iii) The Engineering Division must be able to determine that the placement of the garage at the property line will not impede the ability of the County to widen the street in accordance with the adopted Capital Improvements Program, or in accordance with a possible widening of the street as shown in the adopted Comprehensive Plan.
- (iv) The placement of the garage is not sited closer than fifteen (15) feet from the edge of pavement of the abutting street,
- (v) The maximum square footage of the structure shall not exceed 576 square feet.
- (vi) There is no existing garage or structure, or portion of, built as a garage that has been converted to another use.

- (e) Building Setback. A detached accessory structure shall be located not closer than ten (10) feet to any main building on an adjoining parcel.

[Added by Ord. 982, provisions eff. 6/1/97. Renumbered from 110.220.15 and amended by Ord. 1017, provisions eff. 6/1/98.]

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

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

[Added by Ord. 1017, provisions eff. 6/1/98.]

Article 406

BUILDING PLACEMENT STANDARDS

Sections:

110.406.00	Purpose
110.406.05	General
110.406.10	TRPA Standards
110.406.15	Double Counting Yards
110.406.20	Combining Lots
110.406.25	Unobstructed Yards
110.406.30	Front Yards
110.406.35	Side Yards
110.406.40	Rear Yards
110.406.45	Lot Width
110.406.50	Fences, Walls or Perimeter Planting

Section 110.406.00 Purpose. The purpose of this article, Article 406, Building Placement Standards, is to set forth the regulations governing the placement of buildings on a lot.

Section 110.406.05 General. The yard requirements and setback dimensions are set forth in Part Three of Table 110.406.05.1. These requirements may be modified pursuant to Article 408, Common Open Space Development. All required yard setbacks are measured from the property line with the following exception: when an access easement traverses a portion of a property and has a total width of twenty (20) feet or more, or is maintained by the County, the required yard setback is measured from the easement edge closest to the proposed structure.

Landscaped Buffer. "Landscaped buffer" means an area of landscaping which separates two (2) distinct land uses, or a land use and a public right-of-way, and which acts to soften or mitigate the effects of one (1) land use on the other.

Landscaping. "Landscaping" means an area devoted to and maintained with a mixture of existing or new native or exotic plants such as turf, groundcover, shrubs, flowers, vines and trees, as well as additional complementary decorative features such as rocks, decorative pavement, fountains, pools, sculpture and decorative wall.

Ldn. "Ldn" means the average equivalent A-weighted sound level during a 24-hour day obtained by adding ten decibels to the hourly noise levels measured during the night (10:00 p.m. to 7:00 a.m.). In this way, Ldn takes into account the lower tolerance of people for noise during nighttime periods. Ldn noise level measurements are typically plotted onto a map to identify noise contours around a significant noise generator (e.g. freeways, airports, etc.).

Limited Flooding Area. "Limited flooding area" means the area between the limits of the base flood and the five hundred (500) year flood; or certain areas subject to the base flood with average depths less than one (1) foot or where the contributing drainage area is less than one (1) square mile; or areas protected by levees from the base flood. This area is designated as "Zone B" on the Flood Insurance Rate Maps.

Limited Gaming. "Limited gaming" means gaming enterprises authorized by the State Gaming Control Board whereby any person or gaming establishment may be issued a limited gaming license or have such conditions placed on a gaming license as necessary to protect the public interest.

Livestock. "Livestock" means:

- (a) All cattle or animals of the bovine species;
- (b) All horses, mules, burros and asses or animals of the equine species;
- (c) All goats or animals of the caprine species;
- (d) All swine or animals of the porcine species; and
- (e) All sheep or animals of the ovine species.

Loading Space. "Loading space" means an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of vehicles while handling merchandise or materials.

Lot. "Lot" means a distinct part or parcel of land divided with the intent to transfer ownership or for building purposes and which abuts upon a permanent means of access.

Lot, Corner. "Corner lot" means a lot situated at the intersection of two (2) or more streets or a lot that abuts one (1) street that changes directions, curves or turns around the lot with an interior angle of 135 degrees or less.

Lot, Interior. "Interior lot" means a lot bounded by a street on only one (1) side or situated at the intersection of (2) streets having an interior angle of 135 degrees or ~~more~~ through. "Through lot" means a lot bounded by two (2) streets that do not intersect at the boundaries of the lot.