

SUMMARY: An ordinance moving existing language regulating setbacks from drainage ways from Article 438, (Grading Standards) to Article 420 (Storm Drainage Standards) of Washoe County Code Chapter 110.

BILL NO. 1681

ORDINANCE NO. 1500

An ordinance amending the Washoe County Code at Chapter 110, Development Code, Article 420, Storm Drainage Standards, to add language that will be removed from Article 438, Grading Standards. The subject language pertains to building setbacks from drainage ways, as recommended for adoption by the Washoe County Planning Commission.

Whereas:

A. The language in Section 2 of this ordinance was a part of Article 438 of the Washoe County Code and is being moved to Section 420 for more logical reference.

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

The Board of County Commissioners of the County of Washoe do Ordain:

SECTION 1. The Table of Contents for Article 420, Storm Drainage Standards, is amended to include reference to a new Section 110.420.40:

110.420.00	Purpose
110.420.05	Applicability
110.420.10	Relation to Other Standards
110.420.15	Authorization of Alternative Standards
110.420.20	General Requirements
110.420.25	Other Improvements/Requirements (Public and Private)
110.420.30	Drainage Easements
110.420.35	Water Supply Ditches
110.420.40	Setbacks from Drainage Ways

SECTION 2. A new Section 110.420.40 Setbacks from Drainage Ways, is hereby added to Washoe County Code to read in its entirety as follows:

Section 110.420.40 Setbacks from Drainage Ways.

- (a) The following minimum setbacks for structures shall be maintained from the centerline of drainage ways which are not classified as perennial streams:
  - (1) Fifteen (15) feet from the centerline of incidental drainage ways [drainage area less than one thousand (1,000) acres.]
  - (2) Twenty-five (25) feet from the centerline of secondary drainage ways [drainage area one thousand (1,000) to five thousand (5,000) acres].
  - (3) Fifty (50) feet from the centerline of major drainage ways [drainage area great than five thousand (5,000) acres].
- (b) The setbacks may be modified upon submission and approval of plans for construction of improvements to drainage ways in question. Improvements shall provide capacity within drainage ways for the free unobstructed passage of the required flood flow quantity as determined by an approved hydrologic/hydraulic analysis.
- (c) The County Engineer may require that any such improvement conform to any master plan of drainage as may be presently or hereafter adopted by Washoe County.

SECTION 3. General Terms.

1. RATIFICATION. 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. IMPLEMENTATION; EDITING; CODIFICATION. 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. REPEALER. 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. EXECUTION; PUBLICATION; EFFECTIVE DATE. This Ordinance shall be signed by the Chairman of the Board and attested by the county clerk, and published by title only, together with the names of the board members voting for or against and with a statement that typewritten copies of said ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Reno Gazette Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two weeks by two insertions as required by NRS 244.100 and any other enabling laws, and shall become effective upon such publication.
5. SEVERABILITY. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this Ordinance. In any event, the remainder of this

Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

**Passage and Effective Date**

This Ordinance was proposed on 9-25-12 by  
Commissioner Weber.

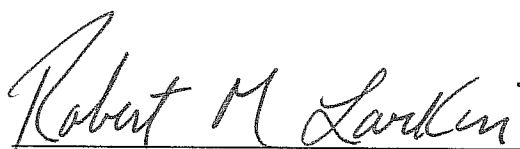
This Ordinance was passed on 10-23-12.

Those voting "aye" were Larkin, Weber, Brotenitz.

Those voting "nay" were none.

Those absent were Jung, Hiernke.

Those abstaining were none.



Robert M. Larkin, Chairman  
Board of County Commissioners  
Washoe, County, Nevada

ATTEST:

  
Amy Harvey  
County Clerk

This ordinance shall be in force and effect from and after the  
2nd day of the month of November of the year 2012.

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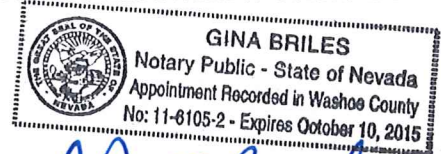
STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **10/26/2012 - 11/02/2012**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *K. Kuenzli*

NOV 02 2012



*Gina Briles*

**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1500 BILL NO. 1681 An Ordinance amending Washoe County Code at Chapter 110, Development Code, Article 420, Storm Drainage Standards, to add language that will be removed from Article 438, Grading Standards. The subject language pertains to building setbacks from drainage ways, as recommended for adoption by the Washoe County Planning Commission. (Bill No. 1681) NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on September 25, 2012 by Commissioner Weber and was passed and adopted without amendment at a regular meeting held on October 23, 2012 by the following vote of the Board of County Commissioners: Those Voting Aye: Bonnie Weber Robert Larkin John Breternitz Those Voting Nay: None Those Absent: David Humke and Kitty Jung This ordinance shall be in full force and effect after the date of the second publication of such ordinance by its title only on November 2, 2012. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only. DATED: October 24, 2012. AMY

1500

HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No.789950  
Oct 26, Nov 2, 2012