
SUMMARY: An ordinance amending Washoe County Code at chapter 110 by allowing the establishment of a Cottage Food Operation as an accessory use in certain facilities, and to add a Farm to Fork event as an allowed temporary use.

BILL NO. 1700

ORDINANCE NO. 1519

An ordinance amending the Washoe County Code at Chapter 110, Article 306, Accessory Uses and Structures, and Article 310, Temporary Uses and Structures, to implement uses authorized by SB206 and AB200 of the 2013 Legislature by allowing the establishment of a Cottage Food Operation as an accessory use in certain facilities, and to add a Farm to Fork event as an allowed temporary use, and providing for other matters properly relating thereto,

Whereas:

A. 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. Article 306 of the Washoe County Code is hereby amended to add the following section, which reads as follows:

Section 110.306.53 Cottage Foods. A Cottage Food Operation, as defined and authorized by NRS Chapter 446, is allowed as an accessory use if conducted in the kitchen of a fraternal or social clubhouse, a school, or a religious, charitable or other nonprofit organization, and subject to District Health approval and issuance of a general business license.

SECTION 2. Section 110.310.15 of the Washoe County Code is hereby amended to add the following sub-section, which reads as follows:

Section 110.310.15 Allowed Temporary Uses and Structures. Temporary uses and structures shall be subject to all the regulations as would be applied to a permanent principal or accessory use located in the same regulatory zone, except as otherwise provided by the regulations of this article. The following temporary uses and structures shall be allowed as specified by the provisions of this section and Chapter 25 of the Washoe County Code. The duration and frequency of temporary uses is established in this section and Chapter 25 of Washoe County Code. The Director of Community Development may impose additional restrictions on the frequency and duration of a temporary use.

- (a) Animal Shows. Exhibitions of domestic or large animals for a maximum of seven (7) days.

- (b) Pumpkin Patches. Retail sales of pumpkins, squash and related farm produce during the month of October. Clean-up of the site shall occur by November 5 of the year in which a pumpkin patch is conducted.
- (c) Christmas Tree Sales. Retail sales of Christmas trees between Thanksgiving and December 31.
- (d) Circuses, Carnivals and Other Outdoor Entertainment Events. Excluding activities and events occurring in a permanent entertainment facility, the temporary provision of games, eating and drinking facilities, live entertainment, animal exhibitions, or other similar activities in a tent or other temporary structure. Section 110.310.20, Circuses, Carnivals or Other Outdoor Entertainment Events, provides additional regulations.
- (e) Construction Yards. Temporary buildings, structures and storage areas supporting residential development and major construction. Section 110.310.25, Construction Yards, provides additional regulations.
- (f) Farm to Fork Events. Temporary Farm to Fork events as defined and authorized by NRS 446. Farm to Fork events are limited to a maximum of two (2) events in a given calendar month. A Farm to Fork event means an event organized on a farm where prepared food is provided for immediate consumption to paying guests. Each date that food is provided to paying guests constitutes a separate event. Per NRS 446, the farm holding the temporary event is not considered a "food establishment."
- (g) House Construction Factories. Temporary buildings used for the construction of a multiple or single family dwelling, or the assembly of prefabricated single or multiple family dwelling components, or a combination of both. Section 110.310.30, House Construction Factories, provides additional regulations.
- (h) Outdoor Markets. Retail sale or exchange of agricultural goods or new, hand-crafted or secondhand merchandise in a flea-market, bazaar or other outdoor market. In no case shall such activities exceed a total of thirty-one (31) days in any one (1) calendar year.
- (i) Indoor Markets. Retail sale or exchange of agricultural goods or new, hand-crafted or secondhand merchandise in a flea-market, bazaar or other indoor market.
- (j) Street Fairs. Temporary provision of games, eating and drinking facilities, live entertainment, or similar activities not requiring use of roofed structures.
- (k) Uses of Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles. Temporary use of mobile homes, travel trailers, commercial coaches and recreational vehicles which support the construction of a permanent residence or permanent use. Section 110.310.35, Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles, provides additional regulations.
- (l) Activities in Subdivisions. Temporary activities in new subdivisions and other residential developments which support the sale of dwellings and lots within the same subdivision or residential development. Section 110.310.40, Uses in New Subdivisions, provides additional regulations.
- (m) Activities in Shopping Malls or Retail Uses. Temporary tents and other facilities inside shopping malls and retail uses, or an adjoining parking lot to one of these uses, for the retail sale of new merchandise, or entertainment or informational event. Temporary

facilities and related activities of this kind held in an adjoining parking lot shall not exceed a total of thirty-one (31) days in any one (1) calendar year.

- (n) Contractor's Yard. Temporary buildings, structures, storage areas and processing facilities supporting federal, state or local agency public construction projects. Section 110.310.45, Contractor's Yards, provides additional regulations.
- (o) Firewood Sales. Seasonal sales of firewood between September and March, inclusive, that is not part of permanent permitted use. Section 110.310.50, Firewood Sales, provides additional regulations.
- (p) Temporary On-site Rental Storage Containers. Temporary on-site rental storage containers obtained from moving or storage companies for the purposes of moving or for storage of possessions at an off-premise storage facility may be allowed on a parcel of land in any land use designation for either a maximum of sixty (60) days, after which they must be removed, or for the duration of a properly issued building permit, after which they must be removed. Temporary on-site rental storage containers may be located only on the sides or rear of a house, and may not be placed in a street right-of-way. Except for the above, temporary on-site rental storage containers may not be used for outside storage longer than sixty (60) days on any parcel of land without having a special use permit for a storage facility for that parcel of land that specifically provides for the use of temporary on-site rental storage containers. Outside stacking of temporary on-site rental storage containers more than two (2) high on any parcel of land is prohibited.

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 in effect from and after its publication as hereinafter provided, and after this Ordinance is signed by the Chairman of the Board and attested and sealed by the District Attorney, this Ordinance shall be 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.
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
Development Code Amendment Case Number DCA13-001

This Ordinance was proposed on 10-8-13 by
Commissioner Jung.

This Ordinance was passed on 10-22-13.

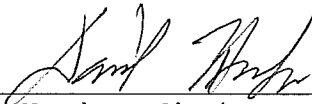
Those voting "aye" were Humke, Weber, Benckigler & Hartung

Those voting "nay" were none.

Those absent were Jung.

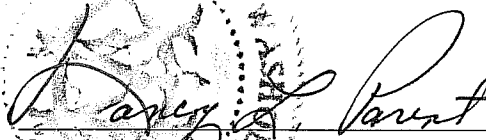
Those abstaining were none.

This Ordinance shall be in force and effect immediately upon the date of the second publication of such Ordinance as required by NRS 244.100.



David Humke, Chairman
Washoe County Commission

ATTEST:



Nandy Parent
County Clerk

This ordinance shall be in force and effect from and after the
1st day of the month of November of the year 2013.

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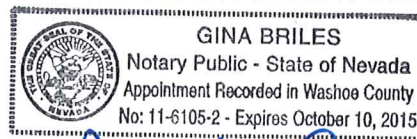
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STATE OF NEVADA
COUNTY OF WASHOE

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: **10/26/2013 - 11/01/2013**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *K. J. Keniston*



Gina Briles

NOV 6 2013

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1519 BILL NO. 1700 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 October 08, 2013 by Commissioner Jung and was passed and adopted without amendment at a regular meeting held on October 22, 2013 by the following vote of the Board of County Commissioners: Development Code Amendment Case Number DCA13-001 (Cottage Food Operations and Farm to Fork Events) - An ordinance amending the Washoe County Code at Chapter 110, Article 306, Accessory Uses and Structures, and Article 310, Temporary Uses and Structures, to implement uses authorized by SB206 and AB200 of the 2013 Legislature by allowing the establishment of a Cottage Food Operation as an accessory use in certain facilities, and to add a Farm to Fork event as an allowed temporary use, and providing for other matters properly relating thereto. (Bill No. 1700) Those Voting Aye: David Humke, Bonnie Weber, Marsha Berkbigler and Vaughn Hartung, Those Absent: Kitty Jung This Ordinance shall be in full force and effect from and after November 1, 2013. IN WITNESS WHEREOF, the Board of County Commissioners of

1519 ✓

Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED October 23, 2013 Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No. 18754 Oct 26, Nov 1, 2013

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LEGALS	LEGALS
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**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1519
BILL NO. 1700**

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 October 08, 2013 by Commissioner Jung and was passed and adopted without amendment at a regular meeting held on October 22, 2013 by the following vote of the Board of County Commissioners:

Development Code Amendment Case Number DCA13-001 (Cottage Food Operations and Farm to Fork Events) - An ordinance amending the Washoe County Code at Chapter 110, Article 306, Accessory Uses and Structures, and Article 310, Temporary Uses and Structures, to implement uses authorized by SB206 and AB200 of the 2013 Legislature by allowing the establishment of a Cottage Food Operation as an accessory use in certain facilities, and to add a Farm to Fork event as an allowed temporary use, and providing for other matters properly relating thereto. (Bill No. 1700)

Those Voting Aye: David Humke, Bonnie Weber, Marsha Berkbigler and Vaughn Hartung,
Those Absent: Kitty Jung

This Ordinance shall be in full force and effect from and after November 1, 2013.
IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED October 23, 2013

Nancy Parent, Washoe County Clerk and
Clerk of the Board of County Commissioners

No. 18754 Oct 26, Nov 1, 2013