

Washoe County Planning Commission



**COMMUNITY
SERVICES DEPARTMENT**

**Development Code Amendment Case Number WDCA22-0004
(Development Code Clean Up and Maintenance)**

April 4, 2023

Case Description

For hearing, discussion and possible action to initiate a Development Code amendment and approve a resolution recommending adoption of an ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Article 302 Allowed Uses, Article 304 Use Classification System, Article 406 Building Placement Standards, and Article 902 Definitions to:

- Provide clarity on single-family accessory uses;
- Allow Child Care, Family Daycare use type within the General Rural and Neighborhood Commercial regulatory zones;
- Allow Large-Family Daycare use type with an Administrative Permit instead of a Special Use Permit in the Neighborhood Commercial Regulatory Zone;
- Allow Personal Services use type within the Industrial and Public and Semi-Public Facilities regulatory zones;
- Include information technology services within the definition of the Administrative Offices use type;
- Include contractors' office with or without an equipment yard as an example of the Construction Sales and Services use type;
- Create a definition for "security fence" and provide standards for allowing security fencing on parcels of land that do not have an established main use;
- Allow for tall specialty fencing for uses such as ballparks and sports fields; and
- Place Communication Facilities in the "Civic" rather than the "Commercial" use table.

Table 110.302.05.1



No change to allowed uses, just moving to a more intuitive location in the same table

Table 110.302.05.1

TABLE OF USES (Residential Use Types)
(See Sections 110.302.10 and 110.302.15 for explanation)

Residential Use Types (Section 110.304.15)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Family Residential																		
Attached Accessory Dwelling	A	A	A	A	A	A	A	A	A	-	-	-	-	-	-	-	A	A
Detached Accessory Dwelling	AR	AR	AR	AR	S ₂	-	-	-	-	-	-	-	-	-	-	-	A	A
Detached Accessory Structure	A	A	A	A	A	A	A	A	A	-	A	-	-	-	-	-	A	A
Duplex	-	-	-	P	P	P	P	P	A	-	S ₂	-	-	-	-	-	-	-
Multi Family	-	-	-	-	-	-	P	P	A	-	S ₂	-	-	-	-	-	-	-
Single Family, Attached	-	-	-	A	A	A	A	A	A	-	S ₂	-	-	-	P	-	-	A
Single Family, Detached	A	A	A	A	A	A	A	S ₂	S ₂	-	S ₂	-	-	-	P	-	A	A
Single Family, Attached Accessory Dwelling	A	A	A	A	A	A	A	A	A	-	-	-	-	-	-	-	A	A
Single Family, Detached Accessory Dwelling	AR	AR	AR	AR	S ₂	-	-	-	-	-	-	-	-	-	-	-	A	A
Single Family, Detached Accessory Structure	A	A	A	A	A	A	A	A	A	-	A	-	-	-	-	-	A	A

Table 110.302.05.2



- Family Daycare allowed in GR zone
- Communication Facilities are regulated by PUC (removes from Commercial Use Table)

Table 110.302.05.2
TABLE OF USES (Civic Use Types)
 (See Sections 110.302.10 and 110.302.15 for explanation)

Civic Use Types (Section 110.304.20)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Administrative Services	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Child Care																		
Family Daycare	A	A	A	A	A	A	A	A	A	--	P	--	--	--	--	--	--	A
Family Daycare	A	A	A	A	A	A	A	A	A	--	P	--	--	--	--	--	--	A
Large-Family Daycare	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	S ₂	--	--	--	--	--	P	S ₂
Child Daycare	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	P	P	P	S ₂	--	S ₂	--
Communication Facilities																		
Commercial Antennas	S₂	S₂	S₂	--	--	--	--	--	--	S₂	S₂	--	S₂	S₂	--	--	S₂	--
Satellite Dish Antennas	See Article 324																	
Wireless Communication Facilities	See Article 324																	
Community Center							P	P	P	A	C	A		A	A			

Table 110.302.05.3



- Personal services in the Industrial and Public and Semi-Public Facilities regulatory zones are less intense than many other uses currently permissible.

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
Marijuana Establishments																		
Marijuana Cultivation Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Marijuana Product Manufacturing Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Marijuana Testing Facility	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
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 Services	--	--	--	--	--	--	P	P	P	A	A	A	A	A	--	--	--	--
Personal Storage							S	S	S	A	S		A					

Section 110.304.25 Commercial Use Types



- A response to the increasing use of technology and provides additional clarity for classification of businesses

(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, **information technology services**, 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.

Section 110.304.25 Commercial Use Types



- Codifies the very common use that is often requested

(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 **contractors' office with or without an equipment yard**, tool and equipment rental, or sales and building material stores.

Section 110.406.50 Fences, Walls or Perimeter Planting



- Additional height is needed for specialty fences:

- backstop of a baseball diamond
- golf course
- driving range

(3) A specialty fence may be up to 30 feet in height for a baseball or softball backstop. A specialty fence may be any height, subject to approval of a Directors Modification of Standards, only when the fence is constructed for a civic use, such as a sports field.

Section 110.406.50 Fences, Walls or Perimeter Planting



- New use and definition to allow property owners to secure vacant land
- Standards allow for appropriate Code Enforcement

(e) Security Fences. Security Fences are permitted in all regulatory zones on parcels of land that do not have a main use established, subject to compliance with all of the following standards:

(1) A security fence shall only be for the purpose of enclosing a vacant parcel of land to control access to that parcel of land.

(2) The allowable height of a security fence is defined at WCC 110.460.50.

(3) A building permit is required for construction of a security fence.

(2) A security fence shall comply with the following provisions:

(i) The security fence shall only be located on the perimeter of the subject site, or adjacent to a public access easement.

(ii) The security fence shall be constructed only of chain link and shall not prevent viewing through it. No slats are allowed. It shall not be solid.

(iii) Construction of a security fence using any material other than chain link may be permitted, subject to approval of a Directors Modification of Standards, when the alternative material provides an equivalent level of security and does not inhibit view of the parcel of land. It shall not be solid.

(iv) The security fence must be supported by steel pipes, and those supports must be set securely in the ground and stabilized with concrete.

Section 110.902.15 Definitions



Fence, Security. “Security Fence” means a fence that is located on the property lines of a parcel of land that does not have a main use established and complies with WCC 110.406.50 (e).

Findings of Fact

Washoe County Code Section 110.818.15(e) requires the Planning Commission to make at least one of the following findings of fact:

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: None of the proposed amendments conflict with the policies and action programs of the 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 original purposes of the development code as expressed in Article 918, particularly to promote the economic and social advantages gained from an appropriately regulated use of land resources.

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 requests from citizens and business owners regarding uses within various regulatory zones. Updates such as this one are typical of the constant desire to maintain the Development Code to address current trends in business.

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 development code amendments are not anticipated to - adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Recommendation

It is recommended that the Washoe County Planning Commission recommend approval of WDCA22-0004, to amend Washoe County Chapter 110 (Development Code) within Article 302 Allowed Uses, Article 304 Use Classification System, Article 406 Building Placement Standards and Article 902 Definitions.

Possible Motion (Pages 11 and 12 of staff report)



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 WDCA22-0004, to adopt and Ordinance amending Washoe County Chapter 110 (Development Code) within Article 302 Allowed Uses, Article 304 Use Classification System, Article 406 Building Placement Standards, and Article 902 Definitions. I further move to authorize the Chair to sign the resolution contained in 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.

Thank you

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