



Planning Commission Staff Report

Meeting Date: January 2, 2024

Agenda Item: 8C

DEVELOPMENT CODE AMENDMENT CASE NUMBER:

WDCA23-0004 (Accessory dwelling unit, detached accessory structures, manufactured housing, and battery-charged fences)

BRIEF SUMMARY OF REQUEST:

Development Code amendments updating regulations relating to accessory dwelling units, detached accessory structures, manufactured housing, and battery- charged fencing.

STAFF PLANNER:

Kat Oakley, Planner
Phone Number: 775.328.3628
Email: koakley@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion and possible action to initiate an amendment and approve a resolution to recommend amending Washoe County Code Chapter 110 (Development Code) by modifying various sections in Division Three- Regulation of Uses and Division Four- Development Standards, in order to update regulations related to accessory dwelling units, detached accessory structures, manufactured housing, and battery-charged fences. These updates include deleting a section specifying the procedure and findings for placing a manufactured home that is less than 1,200 square feet in size; and modifying various sections to: allow detached accessory dwelling units as an allowed use by right in certain residential regulatory zones; require detached accessory dwelling units on parcels ½ acre in size or smaller to be subject to the administrative review permit process in Article 809; update the maximum square footage for both attached and detached accessory dwelling units; define “minor accessory dwelling unit”; modify permitting requirements for detached accessory structures; update the minimum square footage for manufactured homes; and add provisions related to battery-charged fences as required by NV SB 208 (2023); and all matters necessarily connected therewith and pertaining thereto.

If the proposed amendments are initiated, the Planning Commission may recommend approval of the proposed ordinance as submitted, recommend approval with modifications based on input and discussion at the public hearing, or recommend denial. If approval is recommended, the Planning Commission is asked to authorize the Chair to sign a resolution to that effect.

Development Code: Authorized in Article 818, Amendment of Development Code
Commission District: All Districts

WDCA23-0004
Accessory dwelling unit,
detached accessory structures,
manufactured housing, and
battery-charged fences

STAFF RECOMMENDATION

APPROVE

DENY

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 WDCA23-0004, to amend Washoe County Chapter 110 (Development Code) within Articles 302, 304, 306, 312, and 406 as reflected within the proposed ordinance contained in Exhibit A-1. I further move to authorize the Chair to sign the resolution contained in Exhibit 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 the ability to make all of the four findings set forth in Washoe County Code Section 110.818.15(e).

(Motion with Findings on Page 14)

Staff Report Contents

Development Code Amendments 4

Background and Proposed Amendments 4

Accessory Dwelling Units 4

Detached Accessory Structures 6

Manufactured Housing 7

Battery-Charged Fencing 7

Proposed Amendments 7

Article 302 7

Article 304 8

Article 306 10

Article 312 11

Article 406 12

Findings 12

Community Meeting 14

Public Notice 14

Recommendation 14

Motion 14

Appeal Process 14

Exhibit Contents

Resolution Exhibit A

Proposed Ordinance Exhibit A-1

Community Meeting Summaries Exhibit B

Public Comments Exhibit C

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

The proposed set of amendments includes changes tied to four broad topics: accessory dwelling units, detached accessory structures, manufactured housing, and battery-charged fencing. Each topic and the associated amendments are addressed in turn.

Accessory Dwelling Units

Housing affordability and attainability are identified in strategic planning and vision documents as one of the most pressing issues in Washoe County. As described in Envision Washoe 2040—which was approved unanimously by the Planning Commission (PC) on October 16, 2023, and approved by the Board of County Commissioners (BCC) on November 14, 2023—between 2010 and 2019 there was a 78% increase in median home value and only a 42% increase in median home income. In addition to existing affordability issues, the 2022 Consensus Forecast anticipates that unincorporated Washoe County will need to absorb up to a 16,824-person population increase between 2022 and 2042. These pressures precipitate the need to address housing access and affordability on every front, and one of the opportunities to do that is in removing existing barriers to accessible housing development.

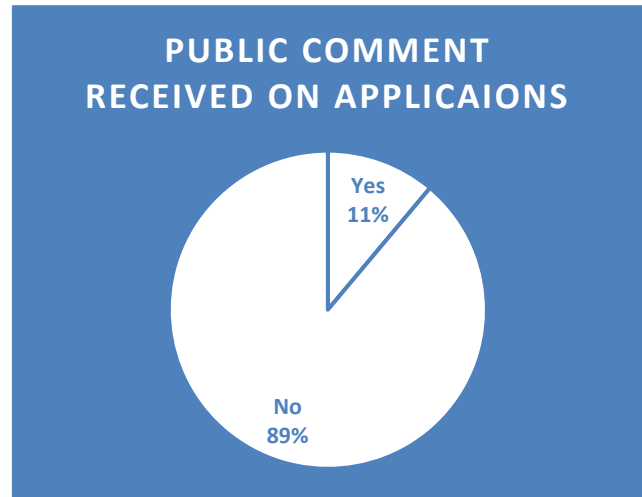
One source of diverse and attainable housing can be accessory dwelling units (ADU's). The [Truckee Meadows Regional Strategy for Housing Affordability](#) (TMRSHA) highlights that the smaller size and lower development costs of ADU's generally makes them more affordable (pg. 70). ADU's provide a unique housing option that enables various living arrangements for County residents, including multi-generational living, caretaker's residences, low-cost rentals, and more. The opportunities of ADU's go beyond just affordability: they can be part of an overall strategy to prepare for an aging population, increase income diversity within neighborhoods, and provide economic opportunity that allows homeowners to age-in-place even as their income is limited in retirement (TMRSHA, pg. 70). The existing Washoe County Code presents some barriers to ADU development, including discretionary permitting requirements for most detached ADU's.

WDCA23-0004
Accessory dwelling unit,
detached accessory structures,
manufactured housing, and
battery-charged fences

purposes of these amendments are to remove those barriers where possible, create new opportunities for small ADU's, and provide more opportunity for infill housing development that meets growing demands and is compatible with the character of single-family housing development in Washoe County. Changes proposed under this set of amendments are only applicable to unincorporated Washoe County outside of the Tahoe basin.

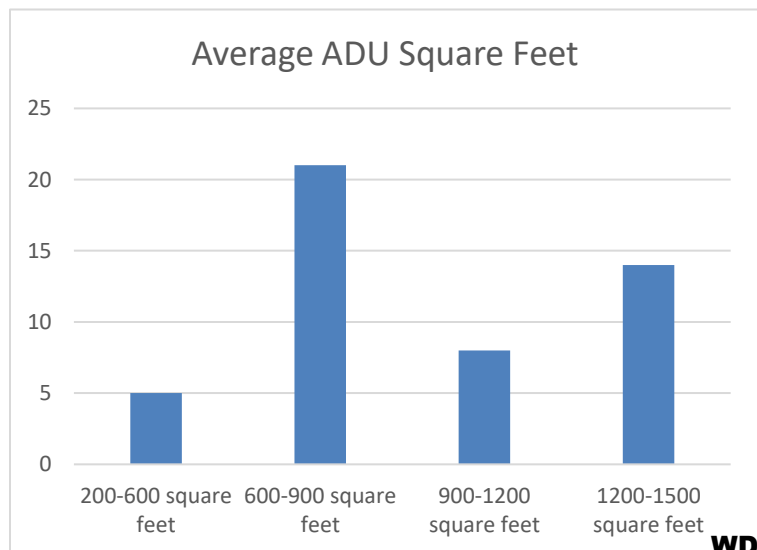
On November 14, 2023, the Washoe County Board of County Commissioners (BCC) initiated this set of amendments to Washoe County Code as one step of an overall initiative to increase housing affordability and accessibility in Washoe County. The proposed amendments are also identified as an action in Chapter Three of Envision Washoe 2040, specifically an ongoing/immediate action item to “revise the accessory dwelling units section of the Development Code to expand options and reduce regulatory barriers.”

Several changes are proposed which: (1) reduce discretionary review in certain residential regulatory zones; and therefore, the cost of building ADU's, (2) modify the provisions regulating both detached ADU's and attached ADU's for consistency in maximum size across the Development Code, and (3) create a “minor” ADU classification for detached ADU's under 500 square feet and provide incentives for these minor ADU's. In preparing these amendments, staff conducted an analysis of all discretionary applications for detached ADU's from 2019-2022, which amounted to 54 applications in total. Of those, none were denied, and only 6 received any



public comment, some of it negative and some positive. From this research, staff identified that the discretionary review process is not necessary for most of these requests—particularly on parcels greater than ½ acre in size. By making detached ADU's allowed-by-right in certain residential regulatory zones where they previously required a discretionary review (LDR, MDR, HDR and LDS/LDS 2), staff can reduce barriers to ADU construction and increase administrative efficiency. Due to the potential for increased impacts, all parcels half an acre or smaller (regardless of regulatory zone) will still be required to go through a detached accessory dwelling unit administrative review (DADAR) process.

The review of recent detached ADU applications also included a review of unit sizes, main home sizes, and conditions of approval. The average detached ADU size over all 55 applications was 966 sf, and almost all applicants requested smaller than the maximum they would be permitted. In the Medium Density Suburban (MDS) regulatory zone, people were more likely to request closer to the maximum of 800 sf. Staff therefore determined it would be appropriate to increase the size cap for ADUs in the MDS regulatory zone from 800 to 1,200 sf—in



WDCA23-0004

**Accessory dwelling unit,
detached accessory structures,
manufactured housing, and
battery-charged fences**

alignment with common practice as determined through a review of requirements in other similar jurisdictions—and maintain the current cap of 1,500 sf for other regulatory zones. A maximum square footage of 50% of the size of the main dwelling will be maintained to ensure the continued accessory nature of ADU's. The same size maximums are proposed to be applied to attached ADU's, to ensure consistency across the Development Code. A review of the conditions of approval confirmed that all necessary requirements are already in code.



The proposed code amendments also propose a new classification of “minor” ADU's, which is a detached ADU under 500 sf. Minor ADU's are a tool specifically to incentivize more attainable housing options. Smaller housing is generally more affordable, and small ADU's provide a unique housing option. Creating a minor ADU classification is the first step to creating incentives. Two incentives are proposed in these amendments: first, to allow minor ADU's to be as close as 5 feet from the side and rear property lines, so long as they are

shorter than 12 feet in height. In the analysis of ADU applications from 2019-2022, staff found that the vast majority of detached ADU requests were on lots 1 acre or larger. This suggests that smaller lot sizes may pose a barrier to people who want to build ADU's on those lots. The minor ADU classification will provide a path forward for those landowners, allowing flexibility in where the ADU is situated on the parcel and required site improvements. The second incentive is to not require an additional dedicated off-street parking space for minor ADU's on parcels bigger than half an acre. On parcels half an acre or smaller, a parking space may or may not be required at the discretion of the Division Director depending on the characteristics of the site. Each property will still only be allowed one ADU. With this new type of ADU established, staff can pursue other types of incentives in the future.

Detached Accessory Structures

While reviewing ADU regulations, staff also conducted an internal review of detached accessory structure (DAS) regulations and recent discretionary permits. A detached accessory structure is separate from the main building on a site but is accessory to the main use (e.g. a detached garage on a residential parcel). Currently, on most parcels in Washoe County, any accessory structure larger in square footage or footprint than the main dwelling requires an administrative permit approved by the Board of Adjustment. Twenty of these permits have been processed over the last 3 years, and all have been approved. This indicates an opportunity for process improvement that would increase efficiency for both applicants and staff.

Under the current code, the size of a DAS that a landowner can construct by right is contingent upon the size of their main home. As a result, the size of the detached structure that triggers discretionary review can vary widely, even amongst neighbors. For example, in the last three years, Washoe County has processed administrative review permits for a 2,400 sf DAS on a 2.6-acre property and for a 2,867 sf DAS on a 12.64-acre property. While intended to maintain proportionality in development on properties, this approach fails to capture what is often

impactful to neighbors. Impacts are more logically related to the size of a structure in relation to the parcel size.

This set of amendments proposes that the administrative review and administrative permit thresholds for a DAS be determined by a simple square footage trigger in different acreage categories rather than by the size of the main home. This will result in more consistent regulations across the county while still maintaining a discretionary review process when appropriate for DAS's that have potential for impacting neighboring properties. To ensure that allowing larger DAS's by right in some cases does not have a negative impact, staff proposes to add requirements that roofing and siding material not be reflective. Additional language is proposed regarding architectural compatibility as an allowable review criterion for DAS's that require discretionary review. This will provide more direction for staff, the public, and the Board of Adjustment in assessing what mitigation measures might be appropriate for larger DAS's.

Manufactured Housing

In the 2023 legislative session, the State of Nevada changed the minimum square footage of manufactured housing from 1,200 sf to 400 sf in Senate Bill 40. Accordingly, County staff are proposing amendments to change the Washoe County Development Code to reflect this new minimum standard. No other provisions related to manufactured housing are changing. While this change was made by the State, it also will help enable a broader range of housing types and sizes that will benefit the pursuit of housing diversity in Washoe County.

Battery-Charged Fencing

In the 2023 legislative session, Senate Bill 208 was adopted which requires Washoe County and other jurisdictions to adopt an ordinance with certain regulations regarding battery-charged fencing. These rules address maximum heights, safety measures, and where such fencing must be permitted. The proposed amendments adopt those regulations as required by state law.

Proposed Amendments

The proposed text additions are show in **red bold**. All deletions are shown in ~~red strike through~~.

Article 302

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																		
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
Attached Accessory Dwelling	A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	A	A
Detached Accessory Dwelling	AR	AR	AR	AR	S₂	--	--	--	--	--	--	--	--	--	--	--	A	A
Detached Accessory Dwelling	A¹	A¹	A¹	A¹	AR	--	--	--	--	--	--	--	--	--	--	--	A¹	A¹
Detached Accessory Structure	A	A	A	A	A	A	A	A	A	--	A	--	--	--	--	--	A	A

**WDCA23-0004
Accessory dwelling unit,
detached accessory structures,
manufactured housing, and
battery-charged fences**

Non-municipal Air Strips and Glider Ports (Accessory Use)	S ₂	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	--	--	S ₂	--
Personal Landing Field (Accessory Use)	S ₂	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	--	--	S ₂	--
Manufactured Home Parks	*	*	*	*	*	S ₂	S ₂	*	*	--	--	--	--	--	--	--	*	--
Group Home	A	A	A	A	A	A	A	A	A	--	S ₂	--	--	--	P	--	A	A
Short-Term Rental (see Article 319)	Note: All of the below STR Tiers require the issuance of an STR permit, regardless of required review process.																	
Tier 1	A	A	A	A	A	A	A	A	A	A	A	A	--	--	--	--	A	A
Tier 2	AR	AR	AR	AR	AR	AR	AR	AR	AR	A	AR	A	--	--	--	--	AR	AR
Tier 3	--	--	--	--	--	--	--	--	--	S ₁	S ₁	S ₁	--	--	--	--	--	--

Key: -- = Not allowed; A = Allowed; AR = Administrative Review; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit; * = Allowed with a Board of Adjustment Special Use Permit in areas designated Trailer (TR) Overlay zone prior to adoption of this Development Code, **! = Administrative Review required on parcels half an acre or smaller.**

Sources: Sedway Cooke Associates and Washoe County Department of Community Development

Article 304

Section 110.304.15 Residential Use Types. Residential use types include the occupancy of living accommodations, but exclude institutional living arrangements providing twenty-four-hour skilled nursing, custodial or medical care and those providing forced residence, such as asylums and prisons.

- (a) **Family Residential.** The family residential use type refers to the occupancy of living quarters by one (1) or more families. The following are family residential use types:
 - (1) **Attached Accessory Dwelling Unit.** An attached accessory dwelling unit is a portion of or an addition to a single-family main dwelling that has been designed or configured to be used as a separate and independent dwelling unit. An attached accessory dwelling unit includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but may also include living, sleeping, and eating facilities, all separated from the main unit by walls or ceilings and accessed through a lockable exterior or interior door. **Except in the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed forty (40) fifty (50) percent of the total square footage of the main dwelling unit or 1,500 square feet, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 1,200 square feet, whichever is smaller.** The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. An attached accessory dwelling may be created by converting part of, or adding on to, an existing single family main dwelling. To be considered

WDCA23-0004

Accessory dwelling unit, detached accessory structures, manufactured housing, and battery-charged fences

attached, the accessory dwelling unit must abut (i.e. be on the opposite side of a wall or ceiling) the habitable space of the main dwelling, or the ceiling of a garage attached to the main dwelling. Incidental and accessory features such as trellises, decks, patios, breezeways, or tool sheds will not be considered as establishing an attached structure/dwelling. Typical uses include guest rooms, guest apartments and "granny flats."

- (2) **Detached Accessory Dwelling Unit.** A detached accessory dwelling unit refers to a dwelling unit on the same lot as the main dwelling unit, but which is physically separated from the main dwelling unit. A detached accessory dwelling unit is designed and configured to provide independent living facilities for one or more persons, and includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but which may also include living, sleeping, and eating facilities. Except in the Medium Density Suburban (MDS) Regulatory Zone, a detached accessory dwelling unit shall not exceed fifteen hundred (1,500) square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed **eight hundred (800) twelve hundred (1,200)** square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. Typical uses include guest houses, second units, "granny flats" and caretaker's quarters.
- (8) **Minor Accessory Dwelling Unit.** A minor accessory dwelling unit refers to a type of detached accessory dwelling unit that is under five hundred (500) square feet. A minor accessory dwelling unit is designed and configured to provide independent living facilities for one or more persons, and includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but which may also include living, sleeping, and eating facilities. The minor accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 500 square feet, whichever is smaller. Typical uses include guest houses, second units, "granny flats" and caretaker's quarters.

Article 306

Section 110.306.10 Detached Accessory Structures. Detached accessory structures are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. The following development requirements shall apply to detached accessory structures:

- (d) **Size. Permitting Requirements.** A proposal to establish a detached accessory structure ~~that is larger (i.e. has more square footage or a larger building footprint) than the existing main structure shall require the approval of an Administrative Permit (pursuant to Article 808), to include review of building height and architectural compatibility with surrounding dwellings, prior to the issuance of a building permit.~~ **shall meet the following requirements:**

- (1) A detached accessory structure on parcels half an acre or less can be 1,200 SF or smaller in size;**

**WDCA23-0004
Accessory dwelling unit,**

**detached accessory structures,
manufactured housing, and
battery-charged fences**

- (2) A detached accessory structure on parcels larger than half an acre but smaller than or equal to 1 acre can be 2,500 SF or smaller in size;
- (3) A detached accessory structure on parcels larger than 1 acre but smaller than or equal to 5 acres can be 5,000 SF or smaller in size;
- (4) A detached accessory structure on parcels larger than 5 acres can be 7,500 SF or smaller in size;
- (5) An administrative review permit (pursuant to Article 809) is required for any detached accessory structure less than or equal to 50% larger than the above allowed-by-right square footages (e.g. up to 1,800 SF on parcels half an acre or less, etc.);
- (6) An administrative permit (pursuant to Article 808) is required for any detached accessory structure more than 50% larger than the above allowed-by-right square footage (e.g. over 1,800 SF on parcels half an acre or less, etc.);
- (7) Parcels 40 acres in size or larger in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and all parcels in the Commercial and Industrial Regulatory Zones, are exempt from ~~this a maximum size~~ requirement; and
- (8) Detached accessory structures shall not have reflective siding or roofing materials. Review of discretionary permits for detached accessory structures should consider the structure's neighborhood and residential compatibility, potentially including but not limited to, siding material, roofing material, structure articulation, structure height, and structure location.

Section 110.306.20 Attached Accessory Dwellings. Attached accessory dwellings are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. Attached accessory dwellings are permitted in the General Rural (GR), General Rural Agricultural (GRA), and the Residential Regulatory Zones, pursuant to all of the following regulations:

- (d) **Except in the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the** ~~The~~ attached accessory dwelling unit shall not exceed ~~forty (40) fifty (50)~~ percent of the total square footage of the main dwelling unit or ~~one thousand (1,000) fifteen hundred (1,500)~~ square feet, whichever is smaller. **In the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 1,200 square feet, whichever is smaller.** The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space.

Section 110.306.25 Detached Accessory Dwellings. Detached accessory dwellings are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. **Detached accessory dwellings are permitted in certain regulatory zones as specified in Table 110.302.05.1.** ~~Detached accessory dwellings are allowed in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and are permitted in the Low~~

WDCA23-0004

**Accessory dwelling unit,
detached accessory structures,
manufactured housing, and
battery-charged fences**

~~Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and Low Density Suburban (LDS) Regulatory Zones pursuant to the administrative review process and requirements of this section. A detached accessory dwelling is permitted in the Medium Density Suburban (MDS) Regulatory Zone subject to a special use permit reviewed by the Board of Adjustment.~~ Any detached accessory dwelling unit must adhere to the following requirements:

- (d) Except for in the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed fifteen hundred (1,500) square feet, or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed ~~eight hundred (800)~~ **twelve hundred (1,200)** square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. The maximum permitted square footage of a detached accessory dwelling unit shall not be increased by use of the variance process contained in Article 804, Variances, except for conversion of a guest house, that was legally constructed prior to May 26, 1993, to a detached accessory dwelling unit.
- ~~(i) Administrative Review Process. Proposals to establish a detached accessory dwelling unit in the Low Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and Low Density Suburban (LDS) Regulatory Zones shall be reviewed pursuant to Article 809, Administrative Review Permits.~~
- (j) ~~Conditions of approval for a A~~ detached accessory dwelling unit shall include the ~~requirement of the~~ installation of a water meter if the detached accessory dwelling unit proposes to use a domestic well as its source of water.
- (j) On any parcel half an acre in size or smaller, a detached accessory dwelling unit shall be permitted only pursuant to the administrative review process in Article 809.**
- (k) If a detached accessory dwelling unit qualifies as a minor accessory dwelling unit as defined in WCC 110.304.15(a)(8) and is 12 feet in height or less, it can be located as close as 5 feet from the side and rear property lines. Minor accessory dwelling units located on parcels larger than 1/2 acre in size do not require an off-street parking space. Minor accessory dwelling units located on parcels 1/2 acre in size or smaller are required to have one off-street parking space, unless this requirement is waived by the Director of Planning and Building or their designee.**

Article 312

Section 110.312.05 Placement Standards. Fabricated housing that is not located within a manufactured home park shall comply with the provisions of this section.

- (b) Manufactured Homes. Manufactured home placements are allowed as follows:
 - (1) ~~Multi-sectional m~~Manufactured homes not less than ~~one thousand two hundred (1,200)~~ **four hundred (400)** square feet in size and constructed within six (6) years of the date of placement (as defined in Article 902) are allowed on an individual lot which permits a single family residence with the exception that new placements of manufactured homes are not allowed on

WDCA23-0004

**Accessory dwelling unit,
detached accessory structures,
manufactured housing, and
battery-charged fences**

parcels that have the current regulatory zones of either General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility, or any historic district established by Washoe County;

~~**Section 110.312.30 – Reserved Procedure and Findings for Placing a Manufactured Home that is Less Than One Thousand Two Hundred Square Feet in Size.** The authority that issues the set-up permit for a manufactured home placed outside of an area designated Trailer (TR) Overlay prior to May 26, 1993, may permit a manufactured home between one thousand two hundred (1,200) square feet and six hundred forty (640) square feet providing the following findings can be made:~~

- ~~(a) Fifty one (51) percent of the main dwelling units within a radius of three hundred (300) feet of the lot on which the manufactured home is to be located are less than one thousand two hundred (1,200) square feet in size;~~
- ~~(b) The placement of a manufactured home one thousand two hundred (1,200) square feet in size would result in a violation of the established yard requirements of the regulatory zone in which the lot was located; or~~
- ~~(c) The lot on which the unit is to be placed is ten (10) acres or greater in size.~~

Article 406

Section 110.406.50 Fences, Walls or Perimeter Planting.

- ~~(f) **Battery-charged fences.** A battery-charged fence is a fence that interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to summon law enforcement in response to an intrusion and has an energizer that is driven by a battery. Battery-charged fences are permitted on all properties within the rural, industrial, and commercial regulatory zones and on all properties within the Tahoe Planning Area, subject to compliance with all of the following standards:~~
- ~~(1) The battery-charged fence shall use a battery that is not more than 12 volts of direct current;~~
 - ~~(2) The battery-charged fence shall have an energizer that meets the most current standards set forth by the International Electrotechnical Commission;~~
 - ~~(3) The battery-charged fence shall be surrounded by a nonelectric perimeter fence or wall that is at least 5 feet in height;~~
 - ~~(4) The battery-charged fence shall not be higher than 10 feet in height or 2 feet higher than the height of the nonelectric perimeter fence or wall described in 110.406.50(f)3, whichever is greater; and~~
 - ~~(5) The battery-charged fence shall be marked with conspicuous warning signs that are located on the battery-charged fence at intervals of not more than 40 feet and that read: “WARNING: ELECTRIC FENCE.”~~

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 to rules for accessory dwelling units (ADU's) directly address an action identified in Chapter 3 of Envision Washoe 2040. This action pursues Population and Housing policy PH3.4, which directs the county to support ADU's as a method of providing affordable and workforce housing. The 2010 Master Plan Housing Element also directs the county to pursue methods to reduce regulatory barriers to affordable housing. Both plans include the Truckee Meadows Regional Strategy for Housing Affordability (TMRSHA), which indicates ADU's are one potential method for increasing accessible housing supply. The decrease in minimum square footage for manufactured housing will have a similarly positive impact on increasing accessible housing supply. These amendments therefore comply with both Envision Washoe 2040 and the 2010 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 purpose of the Development Code as expressed in Article 918, Adoption of Development Code. The amendments will promote public health and safety by reducing regulatory barriers to a diverse range of attainable housing options, including ADU's and manufactured housing, while retaining discretionary review for smaller lot sizes in which impacts to neighboring properties may be greater than for larger lot sizes.

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 amendments allow for a more desirable utilization of land within the regulatory zones.

Staff comment: As described within this staff report, the proposed amendments respond to an increased demand for affordable and accessible housing options, as well as to changes in state law related to manufactured housing. The amendments provide for a more desirable utilization of land by allowing for the creation of new housing units without increased sprawl. It also provides for a larger diversity of housing units, rather than addressing all housing shortage concerns through single-family housing or dense multifamily projects. This will result in a more desirable development pattern. Changes in permitting requirements for detached accessory structures respond to increased desire for larger accessory structures by providing appropriate permitting pathways and consideration criteria when a discretionary permit is required.

4. No Adverse Effects. 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 not adversely affect the implementation of Conservation or Population Element of the Washoe County Master Plan. As described under the first finding, the proposed amendments are specifically intended to implement policies contained within the Population Element of the master plan. While the changes do decrease discretionary reviews, they do not allow ADU's or manufactured housing units

in regulatory zones where they were not previously allowed in some capacity. There will therefore be no negative effect on the Conservation Element.

Community Meeting

Community meetings to discuss these amendments were held on December 7th and 14th from 5:00-6:00 pm via Zoom. Approximately 25 members of the public attended each meeting. Generally, questions related to potential impacts of increased ADU's, how the proposed amendments apply to the Tahoe Basin, septic regulations for ADU's, and how the proposed amendments considered ADU impacts. Summaries of both meetings are attached as Exhibit B.

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.

Recommendation

It is recommended that the Washoe County Planning Commission recommend approval of WDCA23-0004, to amend Washoe County Chapter 110 (Development Code) within Articles 302, 304, 306, 312, and 406. 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 WDCA23-0004, to amend Washoe County Chapter 110 (Development Code) within Articles 302, 304, 306, 312, and 406 as reflected within the proposed ordinance contained in Exhibit A-1. I further move to authorize the Chair to sign the resolution contained in Exhibit 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€:

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 days from the date of the

WDCA23-0004

Accessory dwelling unit,

detached accessory structures,

manufactured housing, and

battery-charged fences

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.



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

Initiating and recommending approval of an ordinance amending Washoe County Code Chapter 110 (Development Code) by modifying various sections in Division Three- Regulation of Uses and Division Four- Development Standards, in order to update regulations related to accessory dwelling units, detached accessory structures, manufactured housing, and battery-charged fences. These updates include deleting a section specifying the procedure and findings for placing a manufactured home that is less than 1,200 square feet in size; and modifying various sections to: allow detached accessory dwelling units as an allowed use by right in certain residential regulatory zones; require detached accessory dwelling units on parcels ½ acre in size or smaller to be subject to the administrative review permit process in Article 809; update the maximum square footage for both attached and detached accessory dwelling units; define “minor accessory dwelling unit”; modify permitting requirements for detached accessory structures; update the minimum square footage for manufactured homes; and add provisions related to battery-charged fences as required by NV SB 208 (2023); and all matters necessarily connected therewith and pertaining thereto.

Resolution Number 24-05

WHEREAS;

- A. Washoe County Code Section 110.818.05 requires that amendments to Washoe County Code Chapter 110 (Development Code) be initiated by resolution of the Washoe County Board of County Commissioners or the Washoe County Planning Commission; and
- B. The Washoe County Planning Commission initiated amendments to the Washoe County Code at Chapter 110 (Development Code) within Article 302 Allowed Uses, Article 304 Use Classification System, Article 306 Accessory Uses and Structures, and Article 406 Building Placement Standards on January 2, 2024, as fully described in Exhibit A-1 to this resolution; and
- C. Development Code Amendment Case Number WDCA23-0004 came before the Washoe County Planning Commission for a duly noticed public hearing on January 2, 2024; and
- D. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Development Code Amendment; and
- E. Whereas, pursuant to Washoe County Code Section 110.818.15(e), the Washoe County Planning Commission made the following findings to support its recommendation for adoption of the proposed Development Code Amendment Case Number WDCA23-0004:

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 Exhibit 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 January 2, 2024.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Rob Pierce, Chair

WORKING COPY
INFORMATION ONLY

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 Washoe County Code Chapter 110 (Development Code) in Division Three – Regulation of Uses to update regulations relating to accessory dwelling units, detached accessory structures, manufactured housing, and battery-charged fences.

BILL NO. _____

ORDINANCE NO. _____

Title:

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE) BY MODIFYING VARIOUS SECTIONS IN DIVISION THREE-REGULATION OF USES AND DIVISION FOUR-DEVELOPMENT STANDARDS, IN ORDER TO UPDATE REGULATIONS RELATED TO ACCESSORY DWELLING UNITS, DETACHED ACCESSORY STRUCTURES, MANUFACTURED HOUSING, AND BATTERY-CHARGED FENCES. THESE UPDATES INCLUDE DELETING A SECTION SPECIFYING THE PROCEDURE AND FINDINGS FOR PLACING A MANUFACTURED HOME THAT IS LESS THAN 1,200 SQUARE FEET IN SIZE; AND MODIFYING VARIOUS SECTIONS TO: ALLOW DETACHED ACCESSORY DWELLING UNITS AS AN ALLOWED USE BY RIGHT IN CERTAIN RESIDENTIAL REGULATORY ZONES; REQUIRE DETACHED ACCESSORY DWELLING UNITS ON PARCELS ½ ACRE IN SIZE OR SMALLER TO BE SUBJECT TO THE ADMINISTRATIVE REVIEW PERMIT PROCESS IN ARTICLE 809; UPDATE THE MAXIMUM SQUARE FOOTAGE FOR BOTH ATTACHED AND DETACHED ACCESSORY DWELLING UNITS; DEFINE "MINOR ACCESSORY DWELLING UNIT"; MODIFY PERMITTING REQUIREMENTS FOR DETACHED ACCESSORY STRUCTURES; UPDATE THE MINIMUM SQUARE FOOTAGE FOR MANUFACTURED HOMES; AND ADD PROVISIONS RELATED TO BATTERY-CHARGED FENCES AS REQUIRED BY NV SB 208 (2023); AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

WHEREAS:

- A. This Commission desires to amend the Washoe County Development Code (Chapter 110 of the Washoe County Code) at Article 302 Allowed Uses, Article 304 Use Classification System, Article 306 Accessory Uses and Structures, Article 312 Fabricated Housing, and Article 406 Building Placement Standards, in order to update regulations relating to accessory dwelling units, detached accessory structures, manufactured housing, and battery-charged fences, and
- B. The Washoe County Board of County Commissioners initiated some of the proposed amendments to Washoe County Code Chapter 110 related to accessory dwelling units and manufactured housing on November 14, 2023; and
- C. The amendments and this Ordinance (DCA23-0004) were drafted in concert with the District Attorney's Office; and
- D. The Washoe County Planning Commission held a duly noticed public hearing for DCA23-0004 on January 2, 2024, and initiated the proposed amendments to Washoe County Code Chapter 110 (Development Code) in the Articles identified in Paragraph A, above, by Resolution Number 24-05; and
- E. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- F. This Commission 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 110.312.30 of Chapter 110 of the Washoe County Code is hereby deleted in its entirety.

Section 2. Section 110.302.05 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.302.05 Table of Uses. The uses that are allowed in each regulatory zone are set forth in Table 110.302.05.1 through Table 110.302.05.5. The regulatory zones are indicated in Table 110.302.05.1 through Table 110.302.05.5 as follows:

- (a) Low Density Rural is indicated as "LDR";
- (b) Medium Density Rural is indicated as "MDR";
- (c) High Density Rural is indicated as "HDR";
- (d) Low Density Suburban is indicated as "LDS";
- (e) Medium Density Suburban is indicated as "MDS";
- (f) High Density Suburban is indicated as "HDS";
- (g) Low Density Urban is indicated as "LDU";
- (h) Medium Density Urban is indicated as "MDU";
- (i) High Density Urban is indicated as "HDU";
- (j) General Commercial is indicated as "GC";
- (k) Neighborhood Commercial/Office is indicated as "NC";
- (l) Tourist Commercial is indicated as "TC";
- (m) Industrial is indicated as "I";
- (n) Public/Semi-Public Facilities is indicated as "PSP";
- (o) Parks and Recreation is indicated as "PR";
- (p) Open Space is indicated as "OS";
- (q) General Rural is indicated as "GR"; and
- (r) General Rural Agricultural is indicated as "GRA."

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																		
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
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 Dwelling	A'	A'	A'	A'	AR	--	--	--	--	--	--	--	--	--	--	--	A'	A'
Detached Accessory Structure	A	A	A	A	A	A	A	A	A	--	A	--	--	--	--	--	A	A
Non-municipal Air Strips and Glider Ports (Accessory Use)	S ₂	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	--	--	S ₂	--
Personal Landing Field (Accessory Use)	S ₂	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	--	--	S ₂	--
Manufactured Home Parks	*	*	*	*	*	S ₂	S ₂	*	*	--	--	--	--	--	--	--	*	--
Group Home	A	A	A	A	A	A	A	A	A	--	S ₂	--	--	--	P	--	A	A
Short-Term Rental (see Article 319)	Note: All of the below STR Tiers require the issuance of an STR permit, regardless of required review process.																	
Tier 1	A	A	A	A	A	A	A	A	A	A	A	A	--	--	--	--	A	A
Tier 2	AR	AR	AR	AR	AR	AR	AR	AR	AR	A	AR	A	--	--	--	--	AR	AR
Tier 3	--	--	--	--	--	--	--	--	--	S ₁	S ₁	S ₁	--	--	--	--	--	--

Key: -- = Not allowed; A = Allowed; AR = Administrative Review; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₁ = Planning Commission Special Use Permit; S₂ = Board of Adjustment Special Use Permit; * = Allowed with a Board of Adjustment Special Use Permit in areas designated Trailer (TR) Overlay zone prior to adoption of this Development Code, ' = **Administrative Review required on parcels half an acre or smaller.**

Sources: Sedway Cooke Associates and Washoe County Department of Community Development

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	--	--	--
Childcare																		
Family Daycare	A	A	A	A	A	A	A	A	A	--	A	--	--	--	--	--	A	A
Large-Family Daycare	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	P	--	--	--	--	--	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	S ₂	S ₂	S ₂	--	--	--	--	--	--	S ₂	S ₂	--	S ₂	S ₂	--	--	S ₂	--
Satellite Dish Antennas	See Article 324																	
Wireless Communication Facilities	See Article 324																	
Community Center	--	--	--	--	--	--	P	P	P	A	S ₂	A	--	A	A	--	--	--
Community Garden	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Convalescent Services	--	--	--	S ₂	S ₂	S ₂	P	P	P	P	S ₂	--	--	P	--	--	--	--
Cultural and Library Services	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	A	A	A	--	A	A	--	A	S ₂
Education																		
Private School Facilities	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	S ₂	S ₂	--	S ₂	S ₂
Public School Facilities	A	A	A	A	A	A	A	A	A	A	A	A	--	A	A	--	A	A
Group Care Facility	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	--	--	--	--	--	S ₂	--
Hospital Services	--	--	--	--	--	--	--	--	--	A	S ₂	--	--	A	--	--	--	S ₂
Major Services and Utilities																		
Utility Services	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂
Major Public Facilities	--	--	--	--	--	--	--	--	--	S ₂	--	S ₂	S ₂	S ₂	S ₂	--	S ₂	--
Nature Center	--	--	--	--	--	--	--	--	--	S ₂	--	S ₂	--	--	S ₂	--	S ₂	--
Parks and Recreation																		
Active Recreation	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	A	A	--	PR	S ₂
Passive Recreation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Postal Services	--	--	--	--	--	--	P	P	P	A	A	A	A	A	--	--	--	--
Public Parking Services	--	--	--	--	--	--	--	A	A	A	A	A	A	A	--	--	--	--
Public Service Yard	--	--	--	--	--	--	--	--	--	--	--	--	A	S ₂	--	--	S ₂	A
Religious Assembly	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	P	P	P	P	--	S ₂	A
Safety Services	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	S ₂	--

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

Sources: Sedway Cooke Associates and Washoe County Department of Community Development

Table 110.302.05.3

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
Administrative Offices	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Adult Characterized Business (see Chapter 25, Washoe County Code)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Animal Sales and Services																		
Commercial Kennels	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	S ₂	--	--	S ₂	--	--	--	S ₂	S ₂
Commercial Stables	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	S ₂	S ₂
																	*See Article 226 for Warm Springs parcels.	
Dog Training Services (see Article 330)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Grooming and Pet Stores	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	--	--	--	--	--	--	--
Pet Cemeteries	P	P	P	--	--	--	--	--	--	S ₂	--	--	--	A	--	--	P	--
Veterinary Services, Agricultural	P	P	P	P	--	--	--	--	--	S ₂	--	--	--	--	--	--	S ₂	S ₂
Veterinary Services, Pets	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	A	A	--	P	--	--	--	--	S ₂
Automotive and Equipment																		
Automotive Repair	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--
Automotive Sales and Rentals	--	--	--	--	--	--	--	--	S ₂	A	A	A	A	--	--	--	--	--
Cleaning	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	A	A	--	--	--	--	--
Commercial Parking	--	--	--	--	--	--	P	P	P	A	A	A	A	P	--	--	--	--
Equipment Repair and Sales	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--
Fabricated Housing Sales	--	--	--	--	--	--	--	--	--	A	--	--	A	--	--	--	--	--
Storage of Operable Vehicles	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--
Truck Stops	--	--	--	--	--	--	--	--	--	S ₂	--	S ₂	S ₂	--	--	--	--	--
Building Maintenance Services	--	--	--	--	--	--	--	--	--	A	A	--	A	--	--	--	--	--
Commercial Centers																		
Neighborhood Centers	--	--	--	S ₂	S ₂	S ₂	P	P	P	A	A	A	A	--	--	--	--	--
Community Centers	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	--	--	--	--	--	--
Regional Centers	--	--	--	--	--	--	--	--	--	S ₂	--	S ₂	--	--	--	--	--	--
Commercial Educational Services	--	--	--	--	--	--	P	P	P	A	A	--	A	A	--	--	--	--
Commercial Recreation																		
Commercial Campground Facilities/RV Park	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	S ₂	S ₂
Destination Resorts	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	--	S ₂	S ₂
Indoor Entertainment	--	--	--	--	--	--	--	--	--	A	P	A	--	P	--	--	--	--
Indoor Sports and Recreation	--	--	--	--	--	--	--	--	--	S ₂	S ₂	P	S ₂	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

* The provisions listed in Table 110.302.05.3 requiring a special use permit for Commercial Stables [as defined in Section 110.304.25(c)(2)] in GR and GRA are hereby modified to be consistent with Article 226, Warm Springs Area.

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
Limited Gaming Facilities	--	--	--	--	--	--	--	--	--	P	P	P	S ₂	--	--	--	--	--
Marinas	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	--	P	S ₂
Outdoor Entertainment	--	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	--	S ₂	--	--	--
Outdoor Sports and Recreation	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	P	P	P	P	S ₂	P	--	P	S ₂
Outdoor Sports Club	S ₂	--	--	--	--	--	--	--	--	--	--	S ₂	--	S ₂	P	--	S ₂	S ₂
Unlimited Gaming Facilities	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--	--
Construction Sales and Services	--	--	--	--	--	--	--	--	--	S ₂	--	--	A	--	--	--	--	--
Continuum of Care Facilities, Seniors	--	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	--	--
Convention and Meeting Facilities	--	--	--	--	--	--	--	--	--	P	P	P	--	P	S ₂	--	--	--
Data Center	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	S ₂	--	--	S ₂	--
Eating and Drinking Establishments																		
Convenience	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	A	P	--	--	--	--	--
Full Service	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	A	P	--	--	--	--	--
Financial Services	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	A	P	--	--	--	--	--
Funeral and Internment Services																		
Cemeteries	P	P	P	--	--	--	--	--	--	S ₂	--	--	--	A	--	--	P	S ₂
Undertaking	--	--	--	--	--	--	--	--	--	A	A	--	--	--	--	--	--	--
Gasoline Sales and Service Stations	--	--	--	--	--	--	S ₂	S ₂	S ₂	A	A	A	A	--	--	--	S ₂	--
Helicopter Services																		
Helipport	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	S ₂	--	--	S ₂	--
Helistop	S ₂	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂	S ₂	S ₂	--	--	S ₂	--
Liquor Manufacturing	--	--	--	--	--	--	P	P	P	A	P	A	A	--	--	--	--	--
Liquor Sales																		
Off-Premises	--	--	--	--	--	--	P	P	P	A	A	A	P	--	--	--	--	--
On-Premises	--	--	--	--	--	--	P	P	P	A	P	A	P	--	--	--	--	--
Lodging Services																		
Bed and Breakfast Inns	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	S ₂	--	P	--	--	--	--	S ₂	S ₂
Condominium Hotel	--	--	--	--	--	--	--	--	--	A	S ₂	A	--	--	--	--	--	--
Hostels	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	--
Hotels and Motels	--	--	--	--	--	--	--	--	--	A	S ₂	A	--	--	--	--	--	--
Vacation Time Shares	--	--	--	--	--	--	--	--	--	--	--	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

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	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

Sources: Sedway Cooke Associates and Washoe County Department of Community Development

[This space intentionally left blank. Section 110.302.05 continues next page.]

Table 110.302.05.4

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

Industrial Use Types (Section 110.304.30)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA	SP	
Aggregate Facilities																				
Permanent	S ₂	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	S ₂	--	--	
Temporary	See Article 332																			
Caretaker's Residence																				
Attached	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Detached	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	SP	
Custom Manufacturing	S ₂	S ₂	S ₂	--	--	--	--	--	--	S ₂	--	S ₂	A	--	--	--	S ₂	--	SP	
Energy Production																				
Non-Renewable*	S ₂	S ₂	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	--	S ₂	S ₂	--	--	
Renewable*	S ₂	S ₂	--	--	--	--	--	--	--	S ₂	--	S ₂	S ₂	S ₂	--	S ₂	S ₂	S ₂	SP	
General Industrial																				
Limited	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Intermediate	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--	--	
High Technology Industry	--	--	--	--	--	--	--	--	--	S ₂	S ₂	--	A	--	--	--	S ₂	--	SP	
Inoperable Vehicle Storage	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--	SP	
Laundry Services	--	--	--	--	--	--	--	--	--	P	--	--	A	--	--	--	--	--	SP	
Mining Operations	S ₂	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	S ₂	--	--	
Petroleum Gas Extraction	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	S ₂	S ₂	--	--	
Salvage Yards	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--	--	
Wholesaling, Storage and Distribution																				
Light	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	--	--	SP	
Heavy	--	--	--	--	--	--	--	--	--	--	--	--	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

Note: * If a special use permit for an energy production project meets the criteria for a project of regional significance, that special use permit will be reviewed by the Washoe County Planning Commission.

Sources: Sedway Cooke Associates and Washoe County Department of Community Development

Table 110.302.05.5

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

Agricultural 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
Agricultural Processing	--	--	--	--	--	--	--	--	--	--	--	--	A	--	--	--	S ₂	A
Agricultural Sales	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	A	--	--	A	--	--	--	S ₂	A
Animal Production	A	A	A	A	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	A	A
Animal Slaughtering, Agricultural	A	A	A	A	--	--	--	--	--	--	--	--	--	--	A	A	A	A
Animal Slaughtering, Commercial	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	--	--	--	--	--
Animal Slaughtering, Mobile	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂
Crop Production	A	A	A	A	A	--	--	--	--	A	A	--	--	--	PR	A	A	A
Forest Products	S ₂	S ₂	S ₂	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	P	--
Game Farms	S ₂	S ₂	S ₂	--	--	--	--	--	--	--	--	--	--	--	--	S ₂	S ₂	S ₂
Produce Sales	S ₂	S ₂	S ₂	S ₂	--	--	--	--	--	--	--	--	--	--	--	--	A	A

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

Sources: Sedway Cooke Associates and Washoe County Department of Community Development

SECTION 3. Section 110.304.15 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.304.15 Residential Use Types. Residential use types include the occupancy of living accommodations, but exclude institutional living arrangements providing twenty-four-hour skilled nursing, custodial or medical care and those providing forced residence, such as asylums and prisons.

- (a) Family Residential. The family residential use type refers to the occupancy of living quarters by one (1) or more families. The following are family residential use types:
 - (1) Attached Accessory Dwelling Unit. An attached accessory dwelling unit is a portion of or an addition to a single-family main dwelling that has been designed or configured to be used as a separate and independent dwelling unit. An attached accessory dwelling unit includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but may also include living, sleeping, and eating facilities, all separated from the main unit by walls or ceilings and accessed through a lockable exterior or interior door. **Except in the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed forty (40) fifty (50) percent of the total square footage of the main dwelling unit or 1,000 1,500 square feet, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 1,200 square feet, whichever is smaller.** The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. An attached accessory

dwelling may be created by converting part of, or adding on to, an existing single family main dwelling. To be considered attached, the accessory dwelling unit must abut (i.e. be on the opposite side of a wall or ceiling) the habitable space of the main dwelling, or the ceiling of a garage attached to the main dwelling. Incidental and accessory features such as trellises, decks, patios, breezeways, or tool sheds will not be considered as establishing an attached structure/dwelling. Typical uses include guest rooms, guest apartments and "granny flats."

- (2) Detached Accessory Dwelling Unit. A detached accessory dwelling unit refers to a dwelling unit on the same lot as the main dwelling unit, but which is physically separated from the main dwelling unit. A detached accessory dwelling unit –is designed and configured to provide independent living facilities for one or more persons, and includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but which may also include living, sleeping, and eating facilities. Except in the Medium Density Suburban (MDS) Regulatory Zone, a detached accessory dwelling unit shall not exceed fifteen hundred (1,500) square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed ~~eight twelve~~ hundred (800) **(1,200)** square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. Typical uses include guest houses, second units, "granny flats" and caretaker's quarters.
- (3) Detached Accessory Structure. A detached accessory structure refers to a building or structure on the same lot as the main residential structure and devoted to a use incidental to that main residential structure. A detached accessory structure is not designed, configured, or used for human habitation. The detached accessory structure may be connected to water and wastewater systems subject to the recordation of a deed restriction prohibiting the use of the structure as a dwelling unit. Installation of both a kitchen (as defined in Article 902) and a toilet in a detached accessory structure shall render the structure as a dwelling unit and subject to the accessory dwelling unit provisions. Typical uses include storage buildings and sheds, barns and detached garages.
- (4) Duplex. Duplex refers to the use of a parcel for two (2) dwelling units in a single structure.
- (5) Multi-Family. Multi-family refers to the use of a parcel for three (3) or more dwelling units within one (1) or more buildings, including condominium developments.
- (6) Single Family, Attached. Single family attached refers to two (2) or more dwelling units constructed with a common or abutting wall with each located on its own separate parcel.
- (7) Single Family, Detached. Single family detached refers to the use of a parcel for only one (1) dwelling unit.
- (8) Minor Accessory Dwelling Unit. **A minor accessory dwelling unit refers to a type of detached accessory dwelling unit that is under five hundred (500)**

square feet. A minor accessory dwelling unit is designed and configured to provide independent living facilities for one or more persons, and includes, at a minimum, permanent kitchen and bathroom (i.e. a toilet) facilities, but which may also include living, sleeping, and eating facilities. The minor accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 500 square feet, whichever is smaller. Typical uses include guest houses, second units, "granny flats" and caretaker's quarters.

- (b) Manufactured Home Parks. Manufactured home parks use type refers to the occupancy of a dwelling unit defined as a mobile home or a manufactured home and which is located in a site defined as a manufactured home park.
- (c) Group Home. Group home use type refers to the occupancy of a single-family dwelling by and the care for a group of ten (10) or fewer persons on a weekly or longer basis who are not defined as a family. The number of persons who reside in a group home excludes any caregivers and their family who also reside in the single-family residence.
 - (1) This term includes specifically the following uses:
 - (i) Residential facility for groups; or
 - (ii) Home for individual residential care;
 - (iii) Halfway house for recovering alcohol or drug abusers;
 - (iv) Group foster home.
 - (2) The term group home does not include a childcare institution or a facility for transitional living for released offenders.
- (d) Short-term rental. Short-term rental (STR) refers to existing single-family dwelling units where, for compensation, lodging is provided within either the entire home or a portion of the home for a rental period of less than 28-days. STRs may be permitted to operate out of legally permitted, permanent dwelling units or accessory dwelling units in accordance with the standards within Article 319. Short-term rentals are distinguishable from commercial lodging use types in that no meals may be provided within short-term rentals as part of the rental agreement and the home may only be rented out for short-term rental use to one group at a time. STRs are also often referred to as vacation rentals and are commonly made available through property management companies or online booking platforms. The following are short-term rental use types:
 - (1) Tier 1 Short-Term Rental. A Tier 1 STR has a maximum occupancy of 10 persons or fewer.
 - (2) Tier 2 Short-Term Rental. A Tier 2 STR has a maximum occupancy of 11-20 persons and due to its higher occupancy, may require additional limitations to ensure compatibility with surrounding residential properties.
 - (3) Tier 3 Short-Term Rental. A Tier 3 STR has a maximum occupancy of 21 or more persons. This highest tier of STRs is still operated out of a pre-existing dwelling unit, but due to the high number of occupants, is expected to have more significant impacts to surrounding properties. As a result, it is considered inappropriate to be located in residential regulatory zones but may be appropriate

on properties with commercial regulatory zones that are located nearer tourist and commercial services.

SECTION 4. Section 110.306.10 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.306.10 Detached Accessory Structures. Detached accessory structures are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. The following development requirements shall apply to detached accessory structures:

(a) Lot Coverage. The establishment of detached accessory structures shall not exceed the following lot coverage limitations:

- (1) On lots in the High-Density Suburban (HDS) and Medium Density Suburban (MDS) Regulatory Zones, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 50 percent of the total lot acreage;
- (2) On lots in the Low-Density Suburban (LDS) Regulatory Zones, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 25 percent of the total lot acreage;
- (3) On lots in the High Density Rural (HDR) Regulatory Zone, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 20 percent of the total lot acreage;
- (4) On lots in the Medium Density Rural (MDR) Regulatory Zone, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed 15 percent of the total lot acreage;
- (5) On lots in the Low Density Rural (LDR) Regulatory Zone, the combined area (i.e. square footage) of all building footprints on the lot shall not exceed ten percent of the total lot acreage or 80,000 square feet, whichever is less;
- (6) Exemptions to lot coverage limitations. Parcels 40 acres in size or larger in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and all parcels in the Commercial, Industrial, and Urban Regulatory Zones, are exempt from the lot coverage limitations of this section.
- (7) On legal non-conforming lots, when the lot size does not meet the minimum lot size for the actual regulatory zone applicable to the lot, the allowed lot coverage under this section will be based on the regulatory zone thresholds set forth in this section for the next densest regulatory zone for which the actual lot size does meet the minimum lot size requirements.

(b) Setbacks.

- (1) Accessory structures 12 feet in height or less may be located within the required rear and side yard setbacks provided they are five feet or more from the rear and side property line. The height of an accessory structure located within the required rear and side yard setback as provided in this subsection shall be measured from the lowest finished grade of the structure to the average height of the highest gable of a pitched or hipped roof. Except as otherwise specifically

provided, all accessory structures are prohibited within the required front yard setback.

- (2) Accessory structures more than 12 feet in height shall comply with the yard setbacks for the main dwelling units stipulated in Article 406, Building Placement Standards. Except as otherwise specifically provided, no accessory structure shall exceed 35 feet in height.
- (c) Height Limits. The height of an accessory structure located outside of all required setbacks shall be measured in accordance with the building height provision in Article 902 of this Code.
- (d) Size. Permitting Requirements. A proposal to establish a detached accessory structure that is larger (i.e. has more square footage or a larger building footprint) than the existing main structure shall require the approval of an Administrative Permit (pursuant to Article 808), to include review of building height and architectural compatibility with surrounding dwellings, prior to the issuance of a building permit shall meet the following requirements:
 - (1) A detached accessory structure on parcels half an acre or less can be 1,200 SF or smaller in size;
 - (2) A detached accessory structure on parcels larger than half an acre but smaller than or equal to 1 acre can be 2,500 SF or smaller in size;
 - (3) A detached accessory structure on parcels larger than 1 acre but smaller than or equal to 5 acres can be 5,000 SF or smaller in size;
 - (4) A detached accessory structure on parcels larger than 5 acres can be 7,500 SF or smaller in size;
 - (5) An Administrative Review Permit (pursuant to Article 809) is required for any detached accessory structure less than or equal to 50% larger than the above allowed-by-right square footages (e.g. up to 1,800 SF on parcels half an acre or less, etc.);
 - (6) An Administrative Permit (pursuant to Article 808) is required for any detached accessory structure more than 50% larger than the above allowed-by-right square footages (e.g. over 1,800 SF on parcels half an acre or less, etc.);
 - (7) Parcels 40 acres in size or larger in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and all parcels in the Commercial and Industrial Regulatory Zones, are exempt from this a maximum size requirement; and
 - (8) Detached accessory structures shall not have reflective siding or roofing materials. Review of discretionary permits for detached accessory structures should consider the structure's neighborhood and residential compatibility, potentially including but not limited to, siding material, roofing material, structure articulation, structure height, and structure location.
- (e) Location/Slopes. A detached accessory structure used as a private garage on any interior lot where the slope of the front half of the lot is greater than a two foot rise (or fall) for every ten feet above (or below) the established street grade may be built to the property line, provided such structure shall not exceed 15 feet in interior height when

measured from parking surface and providing the Engineering Division has been able to determine that:

- (1) 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 the County's snow removal operations;
 - (2) 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
 - (3) 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 Master Plan.
- (f) Building Setback. A detached accessory structure shall not be located closer than ten feet to any main building on an adjoining parcel.
- (g) Cargo Containers. Cargo containers, as defined within Article 902, Definitions, may be established as a detached accessory structure for the sole purpose of storage subject to the provisions below.
- (1) All cargo containers must adhere to the following regulations:
 - (i) Must meet all Washoe County placement standards for a detached accessory structure.
 - (ii) Only one cargo container of not more than 200 square feet of floor space shall be allowed on a parcel of land less than one-half acre in size; two cargo containers of any size shall be allowed on a parcel of land between one half acre and five acres in size. Parcels larger than five acres are limited to one container (of any size) per acre or portion thereof.
 - (iii) The cargo container shall be painted one, solid, muted color that blends with the surrounding vegetation, structures or topography.
 - (iv) All cargo containers shall be free from severe damage, shall not be structurally altered, and shall be free from severe rust. The Director of the Planning and Building Division shall have the authority to determine if these standards have been met.
 - a. A cargo container may potentially be used as structural support for other elements of a detached accessory structure as long as the container is not structurally altered; the overall design has been stamped by a qualified engineer; and a building permit is obtained for the overall structure.
 - (v) Shall not include plumbing fixtures.
 - (vi) Shall not be stacked; except in the Commercial and Industrial regulatory zones with an established commercial or industrial use type, and then

not stacked above two high. Setback requirements shall be determined by the total height of the stacked structure.

- (vii) Shall not display off-premise advertising, company logos, names, or other markings painted on, or otherwise attached to, the exterior of the cargo container.
 - (viii) Shall not occupy any required off-street parking spaces for the site.
 - (ix) Shall be separated from any other structure or storage shed by a minimum of ten feet, with the following exception:
 - a. Cargo containers may be placed side-by-side, with no separation between the individual containers, up to a maximum grouping of four containers where more than one cargo container is allowed on a property. Any such grouping of containers shall be a minimum of 20 feet from any other structure, storage shed, or other cargo container(s). This does not allow for placement of cargo containers end-to-end.
 - (x) Cargo containers do not require a placement permit from the Planning and Building Division, except within Commercial or Industrial regulatory zones or as otherwise noted within this section.
 - (xi) Any electrical wiring or HVAC components shall require a building permit from the Planning and Building Division.
 - (xii) Shall not be established as an Agricultural Building as a Main Use pursuant to Article 330, Domestic Pets and Livestock, of this Development Code.
- (2) Cargo containers placed on parcels one and one quarter acre or less in size must also adhere to the following regulations:
- (i) Shall not be placed between a residence and the adjoining street or road right-of-way that provides primary access to the residence.
 - a. On a parcel fronted by two or more street or road right-of-ways, the Director of the Planning and Building Division shall have the authority to determine the primary access to the residence.
 - (h) Deed Restriction Required for Connection to Water or Wastewater Facilities. Any detached accessory structure proposed to be connected to a potable water supply line or a septic system or community sewer system (i.e. sanitary sewer) as part of a building permit application shall require a deed restriction to be filed with the County Recorder's office stipulating that the structure will not be converted to an accessory dwelling unit as defined in Section 110.304.15. Said deed restriction shall make the County a party to the restriction and shall be obtained through the Planning and Development Division. A copy of the recorded deed restriction shall be required prior to the issuance of the building permit. The Planning and Development Division shall agree in writing to the removal of the deed restriction if the owner legally converts the accessory structure to an accessory dwelling unit (pursuant to the provisions of this article and applicable building codes) or if the structure has been permanently disconnected from the potable water supply and sanitary sewer system. Installation of both a kitchen (as defined in Article 902) and a

toilet in a detached accessory structure shall render the structure as a dwelling unit subject to the provisions of this article.

- (i) Use of Mobile/Manufactured Homes as Detached Accessory Structures. A detached accessory structure shall not be comprised of a mobile or manufactured home due to Federal Housing and Urban Development (HUD) standards prohibiting the removal or modification of any interior structural components, such as plumbing fixtures (see HUD 24 CFR Part 3280).
- (j) Hoop Houses and High Tunnels. Hoop houses and high tunnels, as defined in Section 110.902.15, General Definitions, may be established subject to the following regulations:
 - (1) Must meet all Washoe County placement standards for a detached accessory structure;
 - (2) Are exempt from the lot coverage limitations established in Section 110.306.10(a); and
 - (3) The height of a hoop house or high tunnel at its tallest point shall not exceed the allowable height for the regulatory zone within which it is located.

SECTION 5. Section 110.306.20 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.306.20 Attached Accessory Dwellings. Attached accessory dwellings are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. Attached accessory dwellings are permitted in the General Rural (GR), General Rural Agricultural (GRA), and the Residential Regulatory Zones, pursuant to all of the following regulations:

- (a) A main residential unit exists and no other accessory dwelling unit has been established.
- (b) A minimum lot area of five thousand (5,000) square feet exists.
- (c) Compliance with the setback and height standards of the regulatory zone and the lot coverage standards enumerated in Section 110.306.10(a).
- (d) **Except in the Medium Density Suburban (MDS) Regulatory Zone, the High-Density Suburban (HDS) Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed ~~forty (40)~~ fifty (50) percent of the total square footage of the main dwelling unit or ~~one thousand (1,000)~~ fifteen hundred (1,500) square feet, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the High Density Suburban Regulatory Zone, and all urban regulatory zones, the attached accessory dwelling unit shall not exceed fifty (50) percent of the total square footage of the main dwelling unit or 1,200 square feet, whichever is smaller.** The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space.

- (e) An attached accessory dwelling may be created by converting part of, or adding on to, an existing single family main dwelling unit. To be considered attached, the accessory dwelling unit must abut (i.e. be on the opposite side of a wall or ceiling) the habitable space of the main dwelling, or the ceiling of a garage attached to the main dwelling. Incidental and accessory features such as trellises, decks, patios, breezeways, or tool sheds will not be considered as establishing an attached structure/dwelling. Any exterior entrance to the attached accessory dwelling shall not be located along the same wall as the main entrance to the main unit.
- (f) A minimum of one (1) off-street parking space shall be added, in addition to the applicable parking requirements of the main unit. Additional parking beyond the one (1) off-street parking space added may be required pursuant to the provisions of Article 410, Parking and Loading.
- (g) Only one (1) accessory dwelling unit is allowed per parcel.

SECTION 6. Section 110.306.25 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.306.25 Detached Accessory Dwellings. Detached accessory dwellings are defined in Article 304, Use Classification System, under Section 110.304.15, Residential Use Types. ~~Detached accessory dwellings are allowed in the General Rural (GR) and General Rural Agricultural (GRA) Regulatory Zones, and are permitted in the Low Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and Low Density Suburban (LDS) Regulatory Zones pursuant to the administrative review process and requirements of this section. A detached accessory dwelling is permitted in the Medium Density Suburban (MDS) Regulatory Zone subject to a special use permit reviewed by the Board of Adjustment.~~ Any detached accessory dwelling unit must adhere to the following requirements:

- (a) A main residential unit exists and no other accessory dwelling unit has been established.
- (b) A minimum lot area of twelve thousand (12,000) square feet exists.
- (c) Compliance with the setback and height standards of the regulatory zone and the lot coverage standards enumerated in Section 110.306.10(a).
- (d) Except for in the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed fifteen hundred (1,500) square feet, or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. In the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed ~~eight hundred (800)~~ **twelve hundred (1,200)** square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller. The square footage of garages, crawl spaces, cellars, attics, or basements not designed for human occupancy shall not be included when calculating the total square footage of the main dwelling unit, unless such areas have been legally converted into habitable space. The maximum permitted square footage of a detached accessory dwelling unit shall not be increased by use of the variance process contained in Article 804, Variances, except for conversion of a guest house, that was legally constructed prior to May 26, 1993, to a detached accessory dwelling unit.
- (e) A manufactured or modular home constructed within six (6) years of the date of its placement is permitted as a detached accessory dwelling unit, subject to the size and regulatory zone requirements in (d) above and the provisions of Article 312, Fabricated

Housing, provided that the unit is permanently affixed to the property, its foundation system is masked and the unit is converted to real property pursuant to the provisions of Article 312, Fabricated Housing, at the time of the final inspection date. Fabricated homes are permitted as detached accessory dwelling units in a manufactured home subdivision.

- (f) A minimum of one (1) off-street parking space shall be added, in addition to the applicable parking requirements of the main unit. Additional parking beyond the one (1) off-street parking space added may be required pursuant to the provisions of Article 410, Parking and Loading.
- (g) Only one (1) accessory dwelling unit is allowed per parcel.
- (h) A detached accessory dwelling unit may be converted to a main dwelling unit by subdividing the original parcel. The newly subdivided parcels (and any structures thereon) must meet all provisions of the Development Code, including the setback, height, and minimum lot area standards of the applicable regulatory zone.
- ~~(i) Administrative Review Process. Proposals to establish a detached accessory dwelling unit in the Low Density Rural (LDR), Medium Density Rural (MDR), High Density Rural (HDR), and Low Density Suburban (LDS) Regulatory Zones shall be reviewed pursuant to Article 809, Administrative Review Permits.~~
- ~~(ji) Conditions of approval for a~~ detached accessory dwelling unit shall include the ~~requirement of the~~ installation of a water meter if the detached accessory dwelling unit proposes to use a domestic well as its source of water.
- (j) On any parcel half an acre in size or smaller, a detached accessory dwelling unit shall be permitted only pursuant to the administrative review process in Article 809.**
- (k) If a detached accessory dwelling unit qualifies as a minor accessory dwelling unit as defined in WCC 110.304.15(a)(8) and is 12 feet in height or less, it can be located as close as 5 feet from the side and rear property lines. Minor accessory dwelling units located on parcels larger than ½ acre in size do not require an off-street parking space. Minor accessory dwelling units located on parcels ½ acre in size or smaller are required to have one off-street parking space, unless this requirement is waived by the Director of Planning and Building or their designee.**

SECTION 7. Section 110.312.05 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.312.05 Placement Standards. Fabricated housing that is not located within a manufactured home park shall comply with the provisions of this section.

- (a) Modular Homes. Modular home placements shall be subject to the same regulations and standards as site-built homes, and comply with the provisions of Washoe County Code Chapter 100.
- (b) Manufactured Homes. Manufactured home placements are allowed as follows:

- (1) ~~Multi-sectional m~~Manufactured homes not less than ~~one thousand two hundred (1,200)~~ **four hundred (400)** square feet in size and constructed within six (6) years of the date of placement (as defined in Article 902) are allowed on an individual lot which permits a single family residence with the exception that new placements of manufactured homes are not allowed on parcels that have the current regulatory zones of either General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility, or any historic district established by Washoe County;
 - (2) Multi-sectional manufactured housing units and single manufactured housing units transported to the site are allowed in areas designated as Trailer (TR) Overlay zone in effect prior to May 26, 1993, with the exception that new placements of manufactured homes are not allowed on parcels that have the current regulatory zones of General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility; and
 - (3) Manufactured homes in a manufactured home park are allowed, provided they are in compliance with Article 314; Manufactured Home Parks.
- (c) Mobile Homes. Mobile home placements are allowed as follows:
- (1) Mobile homes are allowed in areas which were designated as Trailer (TR) Overlay zone in effect prior to May 26, 1993, with the exception that new placements of mobile homes are restricted to individual lots that had a previous mobile home or manufactured home assessed valuation within twelve (12) months of the new set-up permit application date. New mobile home placements are no longer allowed on parcels that have the current regulatory zones of either General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility.
 - (2) Mobile homes in a manufactured home park are allowed, provided they are in compliance with Article 314, Manufactured Home Parks.

SECTION 8. Section 110.406.50 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.406.50 Fences, Walls or Perimeter Planting.

- (a) Residential Use Types. The maximum height for fences, walls or perimeter planting is limited to four-and-one-half (4.5) feet in the required front yard setback except as noted by Section 110.406.30, Front Yards. The maximum height for fences, walls or perimeter planting for the remainder of the residential property is six (6) feet. Where two (2) or more of a property's frontages constitute front yards on a corner lot, one (1) of the yards shall be deemed to be the main entrance and all other yards with street frontage shall be considered modified side yards where fences, walls or perimeter planting can have a maximum height of six (6) feet as long as such fences, walls or perimeter planting are located at least ten (10) feet from the modified side yard property line. Barbed wire or razor wire livestock fencing in front yards is allowed only on lots with a size greater than one (1) acre.
- (b) Commercial and Industrial Use Types. The fences, walls or perimeter planting in commercial and industrial development adjoining residential uses shall be at least six (6) feet but not more than eight (8) feet in height, in accordance with Article 412,

Landscaping. The fences, walls or perimeter planting adjoining a street may be a maximum of six (6) feet in height. The fences, walls or perimeter planting adjoining non-residential uses may be a maximum of eight (8) feet in height.

- (c) Specialty Fences. Specialty fences are permitted in all regulatory zones with the following provisions:
- (1) A specialty fence shall only be for the purposes of enclosing a tennis court, racquetball court, basketball court or other court-type recreational activity, and for exotic animals when a fence is required pursuant to the issuance of a permit from the Washoe County Regional Animal Services.
 - (2) A specialty fence shall comply with the following provisions:
 - (i) The court or enclosure for which the fence is erected shall be located entirely to the side or rear of the main structure permitted on the property.
 - (ii) The fence may not be greater than ten (10) feet in height.
 - (iii) The fence may not prevent viewing through the fence. It may not be solid.
 - (iv) The fence must be of a color that blends with the background and in no instance may it be of a reflective material.
 - (v) The fence shall not be located closer than five (5) feet to the side or rear property lines.
 - (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 Director's Modification of Standards, only when the fence is constructed for a civic use, such as a sports field.
- (d) Entry Gate and Entry Columns. An entry gate and entry columns are permitted in all regulatory zones and are subject to the following provision:
- (1) An entry gate and entry columns may exceed the allowable height of the fencing on adjacent fence panels by a maximum of eighteen (18) inches. Lighting fixtures may be placed on top of the entry column in excess of the height limitation.
- (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 110.406.50.
 - (3) A building permit is required for construction of a security fence.
 - (4) 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 Director's 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.
- (f) **Battery-charged fences. A battery-charged fence is a fence that interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to summon law enforcement in response to an intrusion and has an energizer that is driven by a battery. Battery-charged fences are permitted on all properties within the rural, industrial, and commercial regulatory zones and on all properties within the Tahoe Planning Area, subject to compliance with all of the following standards:**
- (1) The battery-charged fence shall use a battery that is not more than 12 volts of direct current;
 - (2) The battery-charged fence shall have an energizer that meets the most current standards set forth by the International Electrotechnical Commission;
 - (3) The battery-charged fence shall be surrounded by a nonelectric perimeter fence or wall that is at least 5 feet in height;
 - (4) The battery-charged fence shall not be higher than 10 feet in height or 2 feet higher than the height of the nonelectric perimeter fence or wall described in 110.406.50(f)(3), whichever is greater; and
 - (5) The battery-charged fence shall be marked with conspicuous warning signs that are located on the battery-charged fence at intervals of not more than 40 feet and that read: "WARNING: ELECTRIC FENCE."

SECTION 8. 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 Chair 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: December 18, 2023

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2024.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2024.

Vote:

Ayes:

Nays:

Absent:

_____, Chair
County Commission

ATTEST:

Jan Galassini, County Clerk

This ordinance shall be in force and effect from and after the
_____ day of the month of _____ of the year 2024.



WDCA23-0004 12/7/23 Meeting Summary

Kat Oakley and Julee Olander from the Washoe County Planning Division represented Washoe County. Approximately 25 people attended throughout the course of the meeting. After apologizing for the last-minute technical difficulties and link change, Kat ran through a PowerPoint overview of the proposed changes. Then there was an opportunity for questions and discussion. The following topics were discussed:

- Clarification that the proposed changes to accessory dwelling unit (ADU) regulations do not impact the Tahoe Basin. Regulations for that area exist in a separate part of the Washoe County Development Code and are not proposed to be changed at this time.
- Clarification that detached ADU's will not be allowed in any places where they are not already currently allowed—instead, they would go through a different review/approval process.
- Discussion of concerns about parking/traffic impacts of ADU's and general increased parking impacts driven by more people/families living in one house for affordability (a trend that is currently being observed by community members).
- Discussion of which parcels would now have an easier detached ADU approval process (if smaller than half an acre, an administrative review will be required).
- Discussion of continued applicability of rules and restrictions of Northern Nevada Public Health for those properties on septic who wish to add an ADU.
- Discussion of people's interest in the option for a detached living space without a full kitchen for those who are on septic and unable to have an ADU. Not part of this set of amendments but a possible topic of future discussion.
- Discussion of different challenges in the Tahoe Basin (facilities constraints, snow, etc.) and need for separate consideration of that area. Confirmation that any changes to current rules in that area would go through a separate development code amendment (DCA) process.
- Discussion of how impacts of ADU's were considered in these proposed changes. Staff shared that there have been about 54 applications for detached ADU's in the last 4 years and that they reviewed these previous permits to see what unique conditions regarding impacts were implemented. In this process, staff found that not many unique conditions were placed and that impacts were generally sufficiently managed by existing codes from the different agencies.
- If people have further questions or know people with questions/comments, directed to reach out to Kat Oakley at koakley@washoecounty.gov.



WDCA23-0004 12/14/23 Meeting Summary

Kat Oakley and Julee Olander from the Washoe County Planning Division represented Washoe County. Approximately 24 people attended throughout the course of the meeting. Kat ran through a PowerPoint overview of the proposed changes. Then there was an opportunity for questions and discussion. The following topics were discussed:

- Clarification that the proposed changes to accessory dwelling unit (ADU) regulations do not impact the Tahoe Basin. Regulations for that area exist in a separate part of the Washoe County Development Code and are not proposed to be changed at this time.
- Clarification that detached ADU's will not be allowed in any places where they are not already currently allowed—instead, they would go through a different review/approval process.
- Discussion of concerns about impacts to water table from ADU's on domestic wells and the accompanying regulations regarding water meters. Staff commented that domestic wells are generally regulated by the State Division of Water Resources.
- Discussion of provisions of battery-charged fence code, which include rules regarding safety notices, perimeter fencing around the battery-charged fence, and maximum heights. Clarification that the proposed provisions regarding battery-charged fencing are limited to exactly what State law requires Washoe County to adopt.
- Discussion of current process for detached accessory structures and which structures would now be required to undertake an administrative permit.
- Discussion of how many minor ADU's can be on a parcel and clarification that, regardless of the type of ADU proposed, there is only one ADU per residential parcel in Washoe County. Clarification that ADU's are not allowed on commercial parcels.
- Discussion of architectural compatibility review for detached accessory structures and clarification that such a review would take place for structures above the discretionary review thresholds, and otherwise structures would be subject to only the requirements of code (height limitation, setbacks, etc.)
- Discussion of timeline for adoption: Planning Commission hearing in January of 2024, then likely Board of County Commissioner hearings in March/April. The new regulations would likely not be in effect until April or May.
- If people have further questions or know people with questions/comments, directed to reach out to Kat Oakley at koakley@washoecounty.gov.

Oakley, Katherine

From: roxanna dunn <roxanna_dunn@yahoo.com>
Sent: Thursday, December 7, 2023 5:26 PM
To: Oakley, Katherine
Subject: neighborhood zoom meeting re: ADUs

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Since I cannot get on to the Zoom meeting due to a Spectrum internet outage that has had the internet down for many Incline Village users since 4:00 a.m., I will send my comments in this email. My comments obviously do not reflect on whatever explanations you offered in the Zoom meeting.

Ostensibly, ADUs are being touted as a way to increase the availability of workforce housing, and yet there is a proposed change to the STR ordinances allowing ADUs to be used as STRs. Contradictory messages here.

I understand the benefit of allowing ADUs in large urban areas as a way to counteract decades of sprawl. But Washoe Tahoe has been built as a rural community with coverage limitations preserving open areas that filter drainage into the lake, a natural treasure over which we have stewardship. Efforts to increase density are applying urban solutions on a rural infrastructure - particularly, our very limited roads. We live in a vulnerable forested area where the risk of wildfire will only increase over the next few decades as climate change brings higher temperatures, drier conditions, and more severe weather. We are facing this as the county vigorously promotes development and has yet to provide an evacuation plan that addresses how our substantial population can be moved out on our three egress roads.

What needs to be in place before these changes are enacted:

- A solid evacuation plan that translates changes in density to hours required for evacuation in general and in specific areas with limited ingress/egress and assesses the consequent risk.
- A pilot program that shows that ADUs provide workforce housing and are not used primarily as STRs
- An environmental impact analysis that shows that there are methods in place to counteract any negative environmental impact of the relaxation of coverage limits.

Respectfully submitted,

Roxanna Dunn
Incline Village resident

Oakley, Katherine

From: barbara stinson <barbarastinson@yahoo.com>
Sent: Thursday, December 14, 2023 5:06 PM
To: Oakley, Katherine
Subject: RE: Washoe unincorporated area granny flats

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK on links or open attachments unless you are sure the content is safe.**]

Cannot link to meeting.

What is goal of this legislation? To help families and residents, or to create rentals on county property?

I voice ONLY OWNER OCCUPIED property for the main residence be eligible to rent or use an accessory dwelling.

I absolutly do not want the landlords, mold in one property, to be allowed to build and rent another unit . This is subdividing rental property for more rentals and will crash the neighborhoods. There are 3 new rentals near me and already I see horror stories.

Family values.
Family property
Owner occupied main property
Tax break they rent to a family or disabled person.

Please !!!!

No rented main property shall be allowed to rent a second unit on that same property.
No

Please keep homes and neighborhoods safe from crazy congestion and untold amounts of rentals being placed in former stable neighborhoods.

Barbara Stinson

[Sent from Yahoo Mail on Android](#)

On Wed, Dec 13, 2023 at 12:58 PM, Oakley, Katherine
<KOakley@washoecounty.gov> wrote:

Hello,

Under what is being proposed, an Administrative Review permit would be required, but yes it would be possible. If you're on septic, you would also need to check with Northern Nevada Public Health. Right now, we have no