

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETED LANGUAGE~~

BOLD TEXT: NEW LANGUAGE

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: *(Text to be determined)*

BILL NO. _____
ORDINANCE NO. _____

TITLE:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Article 306, *Accessory Uses and Structures*, at Section 110.306.10, *Detached Accessory Structures* to refine how cargo containers are defined, provide more flexibility on the placement of cargo containers on larger properties, allow for multiple cargo containers to be placed side-by-side, and specify the type of placement permit needed based on parcel size; within Article 902, *Definitions* at Section 110.902.15, *General Definitions* to add a definition for "Cargo Container"; and other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. *(Text to be determined)*; and,
- B. *(Text to be determined)*; and
- C. *(Text to be determined)*.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY
ORDAIN:

SECTION 1. Section 110.306.10(g) is hereby amended to read as follows:

(g) ~~Cargo Containers, to include Intermodal Containers, Sea-land Containers, ISO Containers, and Conex Boxes-Cargo Containers or Other Portable Storage Containers not Designed for Independent or "In-tow Trailer" Highway Use.~~ Cargo containers **originally** designed and constructed as a standardized, reusable **storage and shipping** vessel to be loaded on a truck, rail car or ship may be established as a detached accessory structure for the sole purpose of storage with the following restrictions:

- (1) Must meet all Washoe County placement standards for a detached accessory structure;
- (2) Only one cargo container shall be allowed on a parcel of land having less than five acres in size, and shall not exceed a maximum size of ten feet wide by nine feet high by 40 feet in length;
- (3) ~~In the Suburban and Urban Regulatory Zones,~~ The cargo container shall be:
 - (i) Located within an area fenced by either a six foot high slatted chain link fence, wooden fence or other durable and opaque fencing, or
 - (ii) Located within an area screened by existing solid vegetation having a minimum height of six feet. If existing landscaping is used as screening, it shall be indicated on the building plans and photos shall be submitted as evidence; or
 - (iii) Painted one, solid, muted color that blends with the surrounding vegetation, or structures or topography.
- (4) All cargo containers shall be free from damage, shall not be structurally altered, shall be free from severe rust, and shall not have exposed bare metal;
- (5) Shall not include plumbing fixtures;
- (6) Shall not be stacked; except in the Commercial and Industrial land use designations, and then not stacked above two high. Setback requirements shall be determined by the total height of the stacked structure;
- (7) Shall not display off-premise advertising, company logos, names, or other markings painted on, or otherwise attached to, the exterior of the cargo container;
- (8) Shall not occupy any required off-street parking spaces for the site;
- (9) Shall not be placed between a residence and the adjoining street or road right-of-way that provides primary access to the residence;
 - (i) **For parcels 10 acres or more in size, the Director of the Planning and Development Division shall have the authority to allow a deviation to the standard in (9) above, when presented with sufficient evidence that the proposed cargo container will be aesthetically enhanced to blend with the surrounding environment.**
 - (ii) On a parcel fronted by two or more street or road right-of-ways, the Director of the Planning and Development Division shall have the authority to determine the primary access to the residence.
- (10) When placed on a parcel fronted by two or more street or road right-of ways, shall be placed at least ~~one~~ 75 feet from all street or road right-of ways, excepts as provided for in (9), above.
 - (i) The Director of the Planning and Development Division shall have the authority to allow a minor deviation in setbacks of up to 25 feet to the standards in (10) above, when the Director is presented with sufficient evidence that the proposed cargo container will be aesthetically enhanced to blend with the surrounding residences.
 - (ii) Aesthetic enhancements, as required in (i) above shall consist of one or more of the following: siding and/or painting to match the residence on the parcel; landscaping to

obscure the cargo container from view from off-site; placement of the cargo container to obscure view from off-site; other techniques as proposed by the applicant and acceptable to the Director.

~~(iii) Approval of a minor deviation to setback standards in (10) above shall be by means of application for a Director's Modification of Standards.~~

(11) Shall be separated from any other structure, or storage shed or other cargo containers by a minimum of ten feet, when located within 100 feet of any property line.;

(i) Cargo containers may be placed side to side up to a maximum of 4 containers where more than one is allowed. Separation of such groups of containers shall be 20 feet from any other structure, storage shed, or cargo containers.

(12) A cargo container may be allowed in a Commercial or Industrial land use regulatory zone for storage purposes if there is a lawful, principal established use on the property where it is located, is located to the rear of any principal use, is not located adjacent to a street, does not impact required parking, and is located behind a slatted chain link fence, wooden fence or other acceptable fencing having a minimum height of eight feet, or existing solid vegetation having a minimum height of eight feet;

(13) Shall obtain an appropriate permit from the Building and Safety Division if the cargo container is over the allowable exempted square footage as established in Article 105, Permits, of Chapter 100 of this Code; and

(i) Parcels 1 acre or less in size: Standard cargo container placement permit, reviewed by all applicable agencies.

(ii) Parcels over 1 acre in size: Over-the-counter permit issued with the owner/applicant providing written acknowledgement of applicable regulations.

~~(14) The Building and Safety Division may additionally require foundations, tie-downs or other safety apparatus to assure compliance with wind load and other safety standards. Any electrical wiring shall require a building permit from the Building and Safety Division.~~

(15) Shall not be established as an Agricultural Building as a Main Use pursuant to Article 330, Domestic Pets and Livestock, of this Development Code.

SECTION 2. Section 110.902.15 is hereby amended to add a definition for "Cargo Container" as follows:

Cargo Container. "Cargo Container" means an Intermodal Container, Sea-land Container, ISO Container, or Conex Box that is not designed for independent or "In-tow Trailer" highway use, and that was originally designed and constructed as a standardized, reusable storage and shipping vessel to be loaded on a truck, rail car or ship.

SECTION 4. 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 Chairman of the Board and the 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 it shall be excised from this ordinance. In any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

DRAFT: July 25, 2016

Passage and Effective Date

This ordinance was proposed on _____ by Commissioner _____.

This ordinance was passed on _____.

Those voting "aye" were _____.

Those voting "nay" were _____.

Those absent were _____.

Those abstaining were _____.

This ordinance shall be published and shall be in force and effect from and after the _____ day of the month of _____ of the year _____ as set forth in NRS 244.100.

Kitty K. Jung, Chair
Washoe County Commission

ATTEST:

Nancy Parent, County Clerk