



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: March 26, 2019

DATE: February 22, 2019

TO: Board of County Commissioners

FROM: Julee Olander, Planner, Community Services Department
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THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning &
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SUBJECT: Public Hearing: Second reading and adoption of an ordinance amending the Washoe County Code Chapter 110 (Development Code), within Article 306, Accessory Uses and Structures, Detached Accessory Structures 110.306.10(a), Lot Coverage, to add a requirement regulating lot coverage limitations for accessory structures, by specifying that 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; and other matters necessarily connected therewith and pertaining thereto. (All Commission Districts.)

SUMMARY

Second reading and possible adoption of an ordinance amending Washoe County Code Chapter 110.306.10 Accessory Uses and Structures, Detached Accessory Structures, Lot Coverage, to clarify that 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.

Washoe County Strategic Objective supported by this item: Stewardship of our community.

PREVIOUS ACTION

On March 12, 2019, the Washoe County Board of Commissioners (Board) introduced and conducted a first reading of an ordinance amending Washoe County Code Chapter 110.306.10 *Accessory Uses and Structures*, Detached Accessory Structures, Lot Coverage, to clarify that on legal non-conforming lots, when the lot size does not meet

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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.

On January 2, 2019, the Washoe County Planning Commission heard this item, initiated the code amendment, and voted unanimously to recommend approval of proposed development code amendment WDCA18-0007 to the Board of County Commissioners (see Attachment B).

BACKGROUND

Washoe County Code (WCC) Article 306, *Accessory Uses and Structures*, provides the standards and regulations for accessory structures including maximum lot coverage requirements that are determined by the regulatory zone of a property. However, for nonconforming lots that do not meet the minimum lot size for the regulatory zoning the requirements can be restrictive. Interpretation 12-1 and Interpretation 18-3 have been written to address this issue. This amendment will codify a specific requirement for accessory structures on nonconforming lots. The draft ordinance is included as Attachment A to this staff report and the proposed changes are included within the ordinance.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended the Board of County Commissioners conduct a second reading and adopt an ordinance amending the Washoe County Code Chapter 110 (Development Code), within Article 306, *Accessory Uses and Structures*, *Detached Accessory Structures* 110.306.10(a), *Lot Coverage*, to add a requirement regulating lot coverage limitations for accessory structures, by specifying that 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; and other matters necessarily connected therewith and pertaining thereto.

It is further recommended that the Board affirm the four findings of fact that the Washoe County Planning Commission made on January 2, 2019, as recorded within Resolution Number 19-03 (Attachment B).

If adopted, the Ordinance will be effective on April 5, 2019

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to adopt Ordinance Number (insert ordinance number as provided by the County Clerk) amending the Washoe County Code Chapter 110 (Development Code), within Article 306, *Accessory Uses and Structures*, *Detached Accessory Structures* 110.306.10(a), *Lot Coverage*, to add a requirement regulating lot coverage limitations for

accessory structures, by specifying that 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; and other matters necessarily connected therewith and pertaining thereto; and to affirm the four findings of fact that the Washoe County Planning Commission made on January 2, 2019, as recorded with Resolution Number 19-03 and attached to the staff report for this item.”

Attachments: A - Proposed Draft Ordinance

B - Planning Commission Signed Resolution 19-03

C - Planning Commission Staff Report for WDCA18-0007

D - Planning Commission Draft Minutes for January 2, 2019 Meeting