

DRAFT: August 21, 2020

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REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT:~~ DELETE LANGUAGE

**BOLD TEXT: NEW LANGUAGE**

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Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040
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***Summary: Amends the Washoe County Code at Chapter 110 (Development Code) by adding standards in Article 406, Building Placement Standards, for industrial parcels adjacent to residential parcels.***

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

Title:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 406, Building Placement Standards, to add a new section addressing industrial zoned properties adjacent to residentially zoned property. New standards shall pertain to any uses within an industrial regulatory zone that are adjacent to residential regulatory zone parcels with specific requirements concerning setbacks, screening elements, lighting and loading and service areas. Proposed changes include but are not limited to an additional 50 foot setback required for any industrial use that is adjacent to residentially zoned property, 8 foot high screening element required along the property lines that are adjacent to residentially zoned property, limits of 25 feet on the height of lighting standards that are more than 100 feet from the shared property line of any residentially zoned property, and setback requirements for loading and service areas for parcels of one acre or more when adjacent to residentially zoned properties; and other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

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- A. This Commission desires to amend Article 406 of the Washoe County Development Code (Chapter 110) in order to add language to Section 110.406 for adding industrial parcels adjacent to residential parcels standards and,
- B. The Washoe County Planning Commission initiated the proposed amendments to Washoe County Code Chapter 110, Development Code, by Resolution Number 20-17 on August 4, 2020; and,
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA20-0001 on August 4, 2020, and adopted Resolution Number 20-17 recommending adoption of this ordinance; and,
- D. 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,
- E. 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. Article 406 of the Development Code, Chapter 110 of the Washoe County Code, is hereby amended by adding the following section there:

**Section 110.406.12 Industrial Standards for Residential Adjacency.** The following standards shall pertain to any uses within an industrial regulatory zone that is adjacent to residential regulatory zone parcels. These standards may be varied upon the approval of a director's modification of standards by the Director of Planning and Building.

- (a) **Setbacks.** A minimum fifty (50) foot buffer shall be maintained from the residential regulatory zone shared property lines to any structure, roadway, parking or other development on industrial regulatory zone

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- parcels. The buffer area shall be maintained and meet Article 412, Landscaping requirements.
- (b) Screening. An eight (8) foot screening element shall be constructed in the setback area adjacent to any residential regulatory zone parcels. This screening element may consist of any of the following:
- 1) solid decorative wall
  - 2) berm
  - 3) solid decorative fencing constructed of durable materials, such as stone, concrete, metal, synthetic or vinyl.
  - 4) combination of any of the following as long as the total height from top of wall/fence/berm to bottom of wall/fence/berm is at least eight (8) feet in height.
- (c) Lighting. Light standards that are within 100 feet from a residential zone parcel shall comply with Article 414. Lighting structures that are more than one hundred (100) feet from a residential regulatory zone parcel shall not exceed twenty-five (25) feet in height.
- (d) Loading and service areas. Loading docks and trash areas on parcels that are one (1) acre or more shall be located a minimum of 100 feet from the shared property line of residential zoned parcels.

## SECTION 2. 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 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

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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.

Passage and Effective Date

Proposed on \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2020.

Proposed by Commissioner \_\_\_\_\_.

Passed on \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2020.

Vote:

Ayes:

Nays:

Absent:

\_\_\_\_\_  
Bob Lucey, Chair  
Washoe County Commission

ATTEST:

\_\_\_\_\_  
Nancy Parent, County Clerk

This ordinance shall be in force and effect from and after the 23rd day of the month of October of the year 2020.