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PROOF OF PUBLICATION

STATE OF NEVADA
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:
That as legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:
_____ of Ordinance No. 919

_____ of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:
_____ Jan. 25 Feb. 1, 1995

Signed

Tana Ciccotti

Subscribed and sworn to before me on 02/01/95

Notary Public

Debra J. DiCianno

PUBLIC NOTICE

NOTICE OF COUNTY ORDINANCE NO. 919

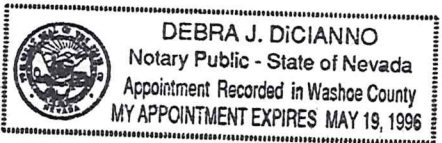
NOTICE IS HEREBY GIVEN that Bill No. 1094, Washoe County Ordinance No. 919, entitled,

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO ADD OUTDOOR AND INDOOR LIGHTING STANDARDS TO THE DEVELOPMENT CODE; TO CHANGE THE NAME OF ARTICLE 414, CHAPTER 110, TO NOISE AND LIGHTING STANDARDS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO

was adopted on December 13, 1994, by Commissioners Steve Bradhurst, Dianne Cornwall, Gene McDowell, and Jim Shaw. Commissioner Larry Beck was absent.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

Judi Bailey
County Clerk
No. 345 Jan 25; Feb 1, 1995



P.O. BOX 22000, RENO, NEVADA 89520

(702) 788-6200



919

SUMMARY: Amends various provisions of Chapter 110 of the Washoe County Code (Development Code) contained in Division 3, Regulation of Uses; and Division 4, Development Standards.

BILL NO. 1094

ORDINANCE NO. 919

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO ADD OUTDOOR AND INDOOR LIGHTING STANDARDS TO THE DEVELOPMENT CODE; TO CHANGE THE NAME OF ARTICLE 414, CHAPTER 110, TO NOISE AND LIGHTING STANDARDS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Article 320 "Bed and Breakfast Establishments" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "A" which is attached hereto and made a part hereof.

SECTION 2. Article 340 "Industrial Performance Standards" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "B" which is attached hereto and made a part hereof.

SECTION 3. Division Four "Contents" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "C" which is attached hereto and made a part hereof.

SECTION 4. Article 400 "Development Standards: Title and Contents" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "D" which is attached hereto and made a part hereof.

SECTION 5. Article 414 "Noise Standards" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "E" which is attached hereto and made a part hereof.

Proposed on the 15th day of November, 1994.

Proposed by Commissioners Jim Shaw

Passed on the 13th day of December, 1994.

Vote:

Ayes: Commissioners: Steve Bradhurst, Dianne Cornwall, Gene McDowell, Jim Shaw.

Nays: Commissioners: No nays.

Absent: Commissioners: Larry Beck.


Chairman of the Board

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after the ^{1st}~~27th~~ day of ~~December~~ ^{FEBRUARY}, 199~~4~~⁵.

- (e) Codes. Prior to issuance of a Certificate of Occupancy, all applicable building, fire and health codes shall be complied with.
- (f) Business License. Prior to the commencement of business, a business license shall be obtained.
- (g) Revise Conditions. The Board of County Commissioners reserves the right to review and revise the conditions of approval should it be determined that a subsequent license or permit issued by the County violates the intent of the permit.
- (h) Taxes. Responsibility for payment of applicable room taxes shall reside with the owner and/or the operator.

Section 110.320.20 Findings. The approving authority shall make the findings provided in this section, in addition to the general findings required for special use permit approval, when recommending approval for a bed and breakfast establishment.

- (a) Traffic. The residential character of the neighborhood will not be changed due to increased traffic in the neighborhood caused by the use.
- (b) Commercial Nature. The residential character of the neighborhood will not be changed due to the commercial nature of the use.
- (c) Dwelling Exists. The single-family dwelling has been constructed.
- (d) Private Controls. The proposed use does not violate the provisions of any applicable covenants, conditions and restrictions governing the property. The burden shall be upon the applicant to provide appropriate documentation to support this finding.
- (e) Noise Levels. The proposed use will maintain acceptable residential noise standards as specified in Article 414, Noise and Lighting Standards.
- (f) Hours of Operation. The hours of operation are consistent with the residential character of the neighborhood.

Article 340

INDUSTRIAL PERFORMANCE STANDARDS

Sections:

110.340.00	Purpose
110.340.05	Applicability
110.340.10	Compliance
110.340.15	Measurements
110.340.20	General Standards
110.340.25	Odors
110.340.30	Lighting
110.340.35	Vibration
110.340.40	Dust, Smoke and Other Air Emissions
110.340.45	Access
110.340.50	Traffic Reports
110.340.55	Transportation Improvements
110.340.60	Public Services and Facilities
110.340.65	On-Site Hazardous Substance Holding

Section 110.340.00 Purpose. The purpose of this article, Article 340, Industrial Performance Standards, is to prescribe standards for development that promote compatibility with surrounding areas and land uses.

Section 110.340.05 Applicability. The provisions of this article shall apply to the development of all uses in the Industrial Regulatory Zones, as set forth in Section 110.302.05.

Section 110.340.10 Compliance. Prior to the issuance of a building permit or business license, applicants shall provide evidence to the Department of Development Review that the proposed development is in full compliance with the requirements set forth in this article and other applicable articles in this Development Code.

Section 110.340.15 Measurements. Measurements necessary to determine compliance with the provisions of this article shall be performed in accordance with accepted engineering practices.

Section 110.340.20 General Standards. Proposed development shall be in compliance with the requirements of this section.

- (a) **Noise.** Proposed development shall conform to the noise standards set forth in Article 414, Noise and Lighting Standards.
- (b) **Setbacks.** Proposed development shall conform to the setback standards set forth in Article 406, Building Placement Standards.

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- (c) Screening and Buffering. Screening and buffering requirements for proposed development shall be as set forth in Article 434, Site Compatibility Standards, and Article 412, Landscaping.
- (d) Parking. Proposed development shall provide sufficient on-site parking in accordance with the provisions of Article 410, Parking and Loading.
- (e) Signs. Signs for uses subject to this article shall be consistent with Division Five of this Development Code.

Section 110.340.25 Odors. All uses subject to this article shall be so operated as not to emit odorous matter which are perceptible by the average person at or beyond the lot line of the lot containing the proposed development.

Section 110.340.30 Lighting. Uses subject to this article shall be operated consistent with the provisions of this section.

- (a) Placement. All lights shall be placed so as to prohibit spillover illumination or glare onto adjoining properties.
- (b) Bulb Type. No bare bulbs shall be permitted unless they are effectively screened and shielded so as to prevent spillover illumination and glare onto adjacent property.

Section 110.340.35 Vibration. Uses subject to this article shall be operated consistent with the provisions of this section.

- (a) Perceptibility Beyond Lot Line. Uses shall not generate ground vibration which is perceptible without instruments by the average person at or beyond the lot line of the lot containing such activities.
- (b) Adjoining Equipment and Facilities. Uses shall not generate ground vibration which interferes with the operations of equipment and facilities of adjoining lots.
- (c) Exceptions. Vibrations caused by motor vehicles, trains, aircraft, demolition and construction are exempt from the provisions of this section.

Section 110.340.40 Dust, Smoke and Other Air Emissions. Uses which emit, or may emit, any air contaminant shall register and operate in accordance with the Washoe County District Health Department.

Section 110.340.45 Access. Access for uses subject to this article shall be in accordance with the provisions of this section.

- (a) Access Points. Access to any development shall be limited to one (1) point for each property or two (2) per street provided they are at least two hundred (200) feet apart, except along limited access freeways where direct access is prohibited.
- (b) Additional Access Points. If, in the opinion of the County Engineer, additional access points are required to ensure public safety and traffic operation, one (1) additional driveway may be permitted for properties with a street frontage greater than two hundred fifty (250) feet, or two (2) additional driveways may be permitted for properties with a street frontage greater than five hundred (500) feet.

Division Four

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Article 400
**DEVELOPMENT STANDARDS: TITLE
 AND CONTENTS**

Sections:

110.400.00	Title
110.400.05	Contents

Section 110.400.00 Title. Division Four of Chapter 110, Development Code, is entitled Development Standards.

Section 110.400.05 Contents. Division Four consists of the following articles:

- (a) ARTICLE 400 DEVELOPMENT STANDARDS: TITLE AND CONTENTS
- (b) ARTICLE 402 DENSITY/INTENSITY STANDARDS
- (c) ARTICLE 404 LOT STANDARDS
- (d) ARTICLE 406 BUILDING PLACEMENT STANDARDS
- (e) ARTICLE 408 COMMON OPEN SPACE DEVELOPMENT
- (f) ARTICLE 410 PARKING AND LOADING
- (g) ARTICLE 412 LANDSCAPING
- (h) ARTICLE 414 NOISE AND LIGHTING STANDARDS
- (i) ARTICLE 416 FLOOD HAZARDS
- (j) ARTICLE 418 WETLANDS (Reserved for Future Ordinance)
- (k) ARTICLE 420 STORM DRAINAGE STANDARDS
- (l) ARTICLE 422 WATER AND SEWER RESOURCE REQUIREMENTS
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- (q) ARTICLE 432 OPEN SPACE STANDARDS (Reserved for Future Ordinance)
- (r) ARTICLE 434 SITE COMPATIBILITY STANDARDS (Reserved for Future Ordinance)
- (s) ARTICLE 436 STREET DESIGN STANDARDS

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Article 414

NOISE AND LIGHTING STANDARDS

Sections:

110.414.00	Purpose
110.414.05	Standards
110.414.10	Measurement
110.414.15	Airport Noise
110.414.20	Exceptions
110.414.21	<u>Light and Glare</u>
110.414.25	Nonconforming Use

Section 110.414.00 Purpose. The purpose of this article, Article 414, Noise Standards, is to allow for a pattern of land uses that minimizes the exposure of community residents to excessive noise.

Section 110.414.05 Standards. Sound levels shall not exceed the standards set forth in this section.

- (a) **Industrial Development.** For property being developed within any industrial zone: seventy-five (75) Ldn at the property line.
- (b) **Residential Abutment.** For property abutting areas developed residentially, or shown as residential on the area plan maps: sixty-five (65) Ldn at the property line.
- (c) **Public/Quasi-Public Facility Abutment.** For property abutting local parks, schools, hospitals, group care facilities or facilities providing child care services: sixty-five (65) Ldn at the property line. Interior noise levels shall not exceed 45 Ldn.
- (d) **Development with Public/Quasi-Public Facility.** For property being developed with a group care facility, school or hospital: sixty (60) Ldn at three (3) feet from any of the building's exterior walls. Interior noise levels shall not exceed 45 Ldn.
- (e) **Noise Abatement Near Highways and Railroads.** Prior to approving any residential development, applicant(s) shall provide site plans indicating that outside noise levels at the residences shall not exceed a maximum of 65 dB when trains are passing or 65 Ldn next to highways.
- (f) **Other.** If the sound levels affecting a project are greater than those allowed for project development, the developer or subdivider shall construct a noise attenuation barrier to bring sound levels down to required standards.

Section 110.414.10 Measurement. Measurement of sound levels shall be in accordance with the provisions of this section.

- (a) **A-Weighting.** Sound levels shall be measured on the A-weighting network of a sound level meter meeting the requirements of USA Standards S14-1971 for General Purpose Sound Level Meters, or the latest revision published by the American National Standards Institute, Inc., using the slow meter response. An additional 10 dB weighting shall be imposed on the sound levels occurring during nighttime hours (10 p.m. to 7 a.m.) to determine the day-night average sound level (Ldn). The meter shall be calibrated and used according to the manufacturer's instructions.
- (b) **Location of Measurement.** Measurements shall be taken with the microphone located at any point on the property line of the noise source, but no closer than three (3) feet from any wall and not less than three (3) feet above the ground.
- (c) **Timing and Number of Measurements.** A twenty-four (24) hour measurement shall be taken. The sound level shall be the average of the hourly readings with the Ldn or day-night average sound level weighting.

Section 110.414.15 Airport Noise. All development proposed within the noise contours established for any airport by the Airport Authority of Washoe County shall conform to the Federal Aviation Regulation, Part 150, Land Use Compatibility Guidelines. Prior to the issuance of a building permit for any new structure within the established noise contour area and flight corridors, the property owner shall dedicate an avigation easement to the Airport Authority of Washoe County in such form and substance as established by the Airport Authority.

Section 110.414.20 Exceptions. The following sources of noise are exempt from the regulations of this article:

- (a) Motor vehicles and other noise-generating equipment not under the control of the property;
- (b) Emergency vehicles and equipment;
- (c) Temporary construction, repair or demolition activities occurring between 7:00 a.m. and 7:00 p.m. on any day except Sunday; and
- (d) Any use approved through an administrative waiver that specifically reviewed the issue of noise created by the use.

Section 110.414.21 Light and Glare. This section sets forth criteria and standards to mitigate impacts caused by lighting and glare.

- (a) **Light.** All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties. This following provisions shall apply to all existing and proposed development:
 - (1) **Any lighting facilities shall be so installed as to reflect away from adjoining properties. Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover.**

- (2) Light standard in or within 100 feet of residential zones shall not exceed twelve (12) feet in height. Additional standard height may be permitted by the Director of Development Review provided such lights are a sharp cutoff lighting system.
- (3) No permanent rotating searchlights shall be permitted in any regulatory zone, except that an administrative permit may be issued by the Zoning Administrator for a period not to exceed three (3) days for a temporary searchlight. The administrative permit shall be limited to a maximum of three times in any one calendar year.
- (b) Lighting Design. The style and intensity of lighting shall consider not only function and appearance, but shall reflect the existing character of surrounding areas and shall replicate natural light as much as possible.
- (c) Glare. Reflected glare on nearby buildings, streets, or pedestrian areas shall be avoided by incorporating overhangs and awnings, using non-reflective building materials for exterior walls and roof surfaces, controlling angles of reflection, and placing landscaping and screening in appropriate locations.
- (d) Interior Lighting. Where residential uses abut non-residential uses, interior lighting of the non-residential uses shall be controlled at night through the use of timers, window blinds, or other acceptable means. This provision shall apply to all existing and proposed development.
- (e) Conflict With Other Portions of Chapter. Where another provision of this chapter may conflict with the provisions of this section, the more restrictive provision shall control.

Section 110.414.25 Nonconforming Use. Any development which was permitted by or conformed to the requirements of the zoning ordinance in effect prior to the effective date of this section shall be considered a nonconforming use subject to the provisions of Article 904, Nonconformance, except for the provisions of Section 110.414.21 (a) and (d).