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

Summary: Amends the Development Code by updating the standards within Section 110.406.05, General, to change when a setback is measured from an access easement, or from a Washoe County maintained road not located in a recorded right-of-way or easement; and other related matters.

BILL NO. 1804

ORDINANCE NO. 1618

Title:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code), within Article 406, *Building Placement Standards*, at Section 110.406.05, *General*, to modify the requirements applicable to measuring setbacks from certain easements by changing the requirement to measure setbacks from the edge of the easement when the easement is more than 20 feet wide; and, by clarifying that when a County maintained road is located outside of a recorded easement or right of way the setback is measured from the edge of the road; and for other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. The Washoe County Planning Commission initiated the proposed amendments to Washoe County Code Chapter 110 (Development Code) by Resolution Number 18-06 on February 6, 2018; and,
- B. The amendments and this ordinance were drafted in concert with the District Attorney; and the Planning Commission held a duly noticed public hearing for WDCA17-0007 on February 6, 2018, and adopted Resolution Number 18-06 recommending adoption of this ordinance; and,

- C. This Commission desires to amend Article 406 of the Washoe County Code Chapter 110 (Development Code) in order to update the standards within Section 110.406.05, *General*; 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. Section 110.406.05 of the Washoe County Code is hereby amended to read as follows:

Section 110.406.05 General. The yard requirements and setback dimensions are set forth in Part Three of Table 110.406.05.1. These requirements may be modified pursuant to Article 408, Common Open Space Development. All required yard setbacks are measured from the property line with the following exceptions: (1) when an access easement traverses a portion of a property and has a total width of more than twenty (20) feet ~~or more, the required yard setback is measured from the edge of the easement closest to the proposed structure; or is maintained by the County,~~ (2) when a Washoe County-maintained road is located outside of a recorded right-of-way or easement, regardless of the roadway width, the required yard setback ~~is shall be measured from the easement edge closest to the proposed structure edge of the road.~~

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 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 April (month) 10 (day), 2018.

Proposed by Commissioner Hartung.

Passed on April (month) 24 (day), 2018.

Vote:

Ayes: Commissioners Marsha Berkbigler, Bob Lucey & Jeanne Herman
 Nays: Commissioners none.
 Absent: Commissioners Kitty Jung & Vaughn Hartung.

ATTEST:

Dorey L. Parv
 County Clerk

Marsha Berkbigler
 Marsha Berkbigler, Chair
 Washoe County Commission

This ordinance shall be in force and effect from and after the 4th day of the month of May of the year 2018.



PART OF THE USA TODAY NETWORK

The Mason Valley News

"The Only Newspaper in the World that Gives a Damn About Yerington"

Order Confirmation for Ad #: 0002888507

Customer: WASHOE CO
Address: 1001 E 9TH ST
 RENO NV 89512 USA
Acct. #: REN-349008
Phone: 7753282569

WASHOE CO
Ordered By: Doni Gassaway

OrderStart Date: 04/27/2018

Order End Date: 05/04/2018

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>	<u>Size</u>
0	1					2 X 36.00

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$467.00	\$0.00	\$467.00	Invoice	\$0.00	\$467.00

Ad Order Notes:

Sales Rep: dlindberg

Order Taker: dlindberg

Order Created 04/25/2018

Product	# Ins	Start Date	End Date
REN-Gazette Journal	2	04/27/2018	05/04/2018
04-27-18, 05-04-18, REN-rgj.com	2	04/27/2018	05/04/2018
04-27-18, 05-04-18,			

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 04/25/2018

**NOTICE OF ADOPTION
 WASHOE COUNTY
 ORDINANCE NO. 161B
 BILL NO. 1804**

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on April 10, 2018 by Commissioner Hartung and was passed and adopted without amendment at a regular meeting held on April 24, 2018 by the following vote of the Board of County Commissioners:

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110 (DEVELOPMENT CODE), WITHIN ARTICLE 406, BUILDING PLACEMENT STANDARDS, AT SECTION 110.406.05, GENERAL, TO MODIFY THE REQUIREMENTS APPLICABLE TO MEASURING SETBACKS FROM CERTAIN EASEMENTS BY CHANGING THE REQUIREMENT TO MEASURE SETBACKS FROM THE EDGE OF THE EASEMENT WHEN THE EASEMENT IS MORE THAN 20 FEET WIDE; AND, BY CLARIFYING THAT WHEN A COUNTY MAINTAINED ROAD IS LOCATED OUTSIDE OF A RECORDED EASEMENT OR RIGHT OF WAY THE SETBACK IS MEASURED FROM THE EDGE OF THE ROAD; AND FOR OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO. (BILL NO 1804)

Those Voting Aye: Marsha Berkbigler, Bob Lucey, and Jeanne Herman.

Those Voting No: None

Those Absent: Kitty Jung and Vaughn Hartung.

This Ordinance shall be in full force and effect from and after May 4, 2018.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED: April 25, 2018.

Nancy Parent, Washoe County Clerk and
 Clerk of the Board of County Commissioners

No. 2888507

Apr 27, May 4, 2018

PROOF OF PUBLICATION


**STATE OF WISCONSIN SS.
COUNTY OF BROWN**

WASHOE CO
1001 E 9TH ST

RENO NV 89512

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the date: 04/27/2018 - 05/04/2018, for exact publication dates please see last line of Proof of Publication below.

04/27/18, 05/04/18


Legal Clerk

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WASHOE COUNTY
ORDINANCE NO. 1618
BILL NO. 1804**


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DATED: April 25, 2018.
Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners
No. 2888507 Apr 27, May 4, 2018

Subscribed and sworn before me this
4th of May 2018.


NOTARY PUBLIC RESIDING
AT STATE OF WISCONSIN
COUNTY OF BROWN

Notary Expires: 9-19-21



Ad#:0002888507
P O:
of Affidavits 000