

DRAFT: August 13, 2024

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REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

BOLD TEXT: NEW LANGUAGE

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

Summary: Amends Washoe County Code Chapter 110 by revising provisions related to temporary occupancy for the care of the infirm.

BILL NO. _____

ORDINANCE NO. _____

Title:

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 310 TEMPORARY USES AND STRUCTURES, TO MODIFY THE ADMINISTRATIVE PERMIT APPLICATION REQUIRMENTS TO OCCUPY A TRAVEL TRAILER OR RECREATIONAL VEHICLE WHEN NECESSARY TO TEMPORARILY CARE FOR THE INFIRM, SPECIFICALLY BY ALLOWING NURSE PRACTITIONERS AND PHYSICIAN'S ASSISTANTS, IN ADDITION TO PHYSICIANS, TO SIGN THE REQUIRED AFFIDAVIT IDENTIFYING BOTH THE INITIAL AND SUBSEQUENT ANNUAL NEED FOR ON-PREMISE CARE; AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

WHEREAS:

- A. This Commission desires to amend Article 310 Temporary Uses and Structures of the Washoe County Development Code (Chapter 110 of the Washoe County Code) in order to revise provisions related to temporary occupancy for the care of the infirm; and
- B. The Washoe County Planning Commission held a duly noticed public hearing for DCA24-0005 and initiated the proposed amendments to Washoe County Code Chapter 110, Article 310, by Resolution Number 24-18 on September 3, 2024; and

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- C. The amendments and this ordinance were drafted in concert with the District Attorney; 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 NRS Chapter 278; and 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 110.310.35 of the Washoe County Code is hereby amended to read as follows:

Section 110.310.35 Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles.

- (a) Temporary Occupancy. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be occupied as a legal use pending construction of a permanent single-family dwelling in any regulatory zone allowing agricultural or residential uses, provided that a building permit is issued at the same time for the permanent residence. The permanent residence shall be completed and the mobile home, manufactured home, or commercial coach will be removed from the property within 18 months from the original date of issuance of the building permit, or within 30 days of issuance of a Certificate of Occupancy, whichever is sooner. A \$2,000 bond to cover the cost of removal of the mobile home, manufactured home or commercial coach, or satisfactory proof of removal, will be placed on file with the Building and Safety Division prior to the issuance of the Certificate of Occupancy. The use of a travel trailer or recreational vehicle as a temporary occupancy will cease with the disconnection of all on-site utility services. One extension for an additional 18 month period may be granted with a building permit extension or renewal, but in no case will the temporary occupancy be permitted after 37 months from the original date of issuance of the building permit. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle located within a flood hazard area or limited flooding area may be subject to the requirements of Article 416, Flood Hazards.
- (b) Temporary Contractor's Offices. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be used as a contractor's office to manage the construction of a permanent use, provided that a building permit, to include a grading permit, is issued at the same time for the permanent use.
- (c) Temporary Commercial Use Types and Offices. Any commercial use type and office may be established in commercial coaches, or other temporary structures rated for human occupancy during the construction, major remodel, or reconstruction of a

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permanent structure on a parcel provided that a building permit, to include a grading permit, is issued at the same time for the permanent use. The permanent structure shall be completed and the commercial coach will be removed from the property within 18 months from the original date of issuance of the building permit, or within 30 days of issuance of a Certificate of Occupancy, whichever is sooner. A \$2,000 bond to cover the cost of removal of the commercial coach, or satisfactory proof of removal, will be placed on file with the Building and Safety Division prior to the issuance of the Certificate of Occupancy. One extension for an additional 18 month period may be granted with a building permit extension or renewal, but in no case will the temporary occupancy be permitted after 37 months from the original date of issuance of the building permit.

- (d) Temporary Watchman's Quarters. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be used for security purposes, including watchman's quarters, for a permitted mining operation or permitted earth products excavations/processing activity, public park, recreational area, or other commercial or industrial use which by its nature is temporary or is located in a remote area where security is necessary outside of normal business hours. Prior to the establishment of this use, the requirements of Article 808, Administrative Permits, must be satisfied.
- (e) Temporary Mining Office. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be used for an office or scale house for a permitted mining operation or a permitted earth products excavation/processing activity. Parking shall be required as provided by the permit authorizing the mining operation or earth products excavation/processing activity. Prior to the establishment of this use, the requirements of Article 808, Administrative Permits, must be satisfied.
- (f) Temporary Camping. A self-contained travel trailer or recreational vehicle may be used by nonpaying guests or relatives on any private ownership parcel within the Residential Regulatory Zones; General Rural, Parks and Recreation, and Open Space Regulatory Zones subject to the following provisions:
 - (1) The temporary camping visit does not extend beyond 14 consecutive days, with no more than four visits per calendar year.
 - (2) The property owner provides written permission that the visit is authorized without any form of compensation.
 - (3) No discharge of any litter, sewage, effluent or other matter shall occur except into sanitary facilities designed to dispose of the material.
 - (4) No water or sanitary sewer connections are allowed to any buildings on the property during the temporary camping visit.
- (g) Temporary Occupancy for the Care of the Infirm. One self-contained travel trailer or recreational vehicle may be temporarily occupied as a legal use when it is necessary for the care of an infirm resident on-site. This use is reserved for properties containing a permanent single-family dwelling occupied by either the infirm person or the person responsible for the care of the infirm person. The self-contained travel trailer or recreational vehicle may be occupied by either the infirm person or the person responsible for the care of the infirm person. Prior to the establishment of this use, the requirements of Article 808, Administrative Permits, must be satisfied. The administrative permit application shall include a signed affidavit from a Nevada licensed physician, **nurse practitioner, or physician's assistant** identifying the need for such on-premise care. ~~The administrative permit must be renewed~~ **Once permitted, the applicant must**

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provide a signed affidavit from a Nevada licensed physician, nurse practitioner, or physician's assistant on an annual basis to ensure that the need for such on-premise care still exists. The travel trailer or recreational vehicle shall be located on the parcel to provide as much screening as practical from being viewed from the street. No discharge of any litter, sewage, effluent or other matter shall occur except into sanitary facilities designed to dispose of the material. Any temporary utility connections shall be to the satisfaction of the Washoe County Health District and the Building Program of the Planning and Building Division.

- (h) Temporary Contractor or Owner-Builder Materials or Equipment Cargo Containers. Upon payment of plan review fees for a principal structure supporting an allowed principal use, a contractor or owner-builder may place temporary cargo containers on a property to support the construction of the project allowed by the permit. The temporary cargo container(s) must be located immediately adjacent to the site of the construction activity. All cargo containers shall be free from severe damage, shall not be structurally altered, shall be free from severe rust, and shall not have exposed bare metal. Such cargo containers shall be removed upon the expiration or revocation of the building permit. If the building permit has not been issued within 12 months of the date of original payment of plan review fees, the cargo container shall be removed from the property at the owner's expense. Issuance of the building permit at a later date will allow the cargo container(s) to be placed on the property again. Any cargo container remaining on-site after issuance of a final building inspection or Certificate of Occupancy shall conform to the standards within Section 110.306.10.
- (i) Portable Sanitation Huts. Upon approval by the Health District, portable sanitation huts may be allowed on a construction site, a special event or other temporary public or private event or activity, a mining or aggregate facility, or other use approved by the Health District subject to the following conditions:
- (1) All units shall be maintained, hauled, and the effluent disposed of, in strict accordance with Health District requirements governing sewage, wastewater, and sanitation.
 - (2) Units placed on private property shall be set outside the required setbacks for the regulatory zone for the particular parcel. No easement, drainage, or right-of-way shall be encroached upon by a portable sanitation hut.
 - (3) All portable sanitation huts must be removed from the property within seven days after construction, or the event, activity, mining, or other approved use is completed.

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 Chair 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.

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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 _____ (month) _____ (day), 2024.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2024.

Vote:

Ayes:

Nays:

Absent:

Alexis Hill, Chair
County Commission

ATTEST:

Jan Galassini, County Clerk

This ordinance shall be in force and effect from and after the 20th day of the month of December of the year 2024.