

## STAFF REPORT

---

**Date:** December 11, 2024

**To:** Mayor and City Council

**Through:** Jackie Bryant, Interim City Manager

**Subject:** Ordinance Introduction – Bill No. \_\_\_\_ (For Possible Action): Case No. TXT23-00005 (Title 18 Zoning Code Clean-Up) – Ordinance to adopt an updated Title 18 (Annexation and Land Development Code of the City of Reno) of the Reno Municipal Code to address grammatical errors, inconsistencies with regulations, unintended deletions or insertions, and changes from the 2023 legislative session; together with matters which pertain to or are necessarily connected therewith.

**From:** Angela Fuss, Assistant Director of Development Services

**Department:** Development Services

---

**Summary:**

This is a first reading of an ordinance amending Reno Municipal Code (RMC) Title 18, specific to the code-up. In January of 2021 the City of Reno adopted a new zoning code, and as part of that adoption it was always anticipated that some code clean-up would be necessary. In June of 2022, City Council initiated a text amendment to the Title 18 Annexation and Land Development Code, to address those outstanding zoning code clean-up items including grammatical errors, inconsistencies with regulations, and unintended deletions or insertions. Key to the code clean-up is to create a document that removes the conflicting regulations and is easier for staff to administer in a consistent manner. A draft ordinance with the redline amendments can be found as **Exhibit A – Title 18 Annexation and Land Development Code Redline Ordinance** to this staff report. Staff and the Planning Commission recommend Council review the proposed changes and refer the text amendment for a second reading and adoption.

**Alignment with Strategic Plan:**

- Economic and Community Development
- Infrastructure, Climate Change, and Environmental Sustainability

**Previous Council Action:**

August 28, 2024 – Staff presented the proposed changes to the Zoning Code. City Council provided feedback.

November 1, 2023 – City Council directed staff to separate the Zoning Code Clean-Up housing initiatives from the rest of the clean-up items and bring the housing items back to Council for a discussion, which was processed in the Spring of 2024.

June 8, 2022 – Council initiated a text amendment to address outstanding zoning code clean-up items

January 13, 2021 – Council adopted Ordinance #6587 – Title 18 Annexation and Land Development Code of the City of Reno.

**Background:**

Council adopted a new Title 18 Annexation and Land Development Code (i.e. Zoning Code RENOVation) on January 13, 2021. The key objectives of the update were to implement the Master Plan, make the code more user-friendly, and establish a more predictable and transparent review process. During the adoption process, staff acknowledged that future code clean-ups would be needed, and a follow-up process was to take place at a future time. Since the adoption, City staff has been keeping a log of those clean-up items and the list encompasses over 400 changes.

In March and April of 2024, staff presented the initial redline proposed changes to the Planning Commission in a series of meetings, broken down by code section, to both educate the Planning Commission and the public on proposed changes, and to elicit feedback. The proposed changes and the feedback received were then brought to City Council at their August 28, 2024, meeting where Council provided additional feedback.

A summary of previous actions and engagement opportunities from stakeholders and the public are as follows:

- June 8, 2022 – Council initiated a text amendment to address outstanding zoning code clean-up items
- June 2023 – NAB meetings
- June-July 2023 – Historic Resource Commission (HRC) (2 meetings)
- August-October 2023 – Technical Advisory Committee (7 meetings)
- October-December 2023 – Stakeholders (9 meetings)
- Various timeframes – Smaller interest group meetings (NAIOP, landscape architects, Washoe County School District (WCSD), etc.)
- March-April 2024 Planning Commission – 3 meetings
- August 28, 2024 - City Council
- October 2024 – NAB meetings
- November 21, 2024 – Planning Commission hearing and recommendation to Council

To help track the various changes that have been made between the original Planning Commission review and the proposed ordinance, a summary of all the changes by chapter has been included in this staff report. Items that are *italicized and underlined* are new items that have been included since the Planning Commission reviewed the items in March and April of 2024. Items that have a ~~strike through~~ have been removed and are no longer included in the proposed amendments.

Planning Commission reviewed the proposed changes at the November 21, 2024, meeting. The Commission recommended approval of the draft changes with an amendment to not remove subsection 2 from section 18.03.405(h), as brought forward by staff. This is related to existing language on restricted gaming requirements.

### **Discussion:**

On June 8, 2022, City Council initiated a text amendment to address clean-up items including grammatical errors, inconsistencies with regulations and unintended deletions or insertions within the zoning code. Staff has prepared the draft code clean-up changes and engaged the public and stakeholders in the review those changes.

In the summer/fall of 2023, staff held a series of seven Technical Advisory Committee (TAC) meetings, where each of the proposed code clean-up edits was discussed. A group of 29 individuals were identified to serve on the technical advisory committee. Composition of the committee was based on individuals that use the City of Reno Title 18 Annexation and Land Development Code on a regular basis and have experience processing either building permits or entitlement applications through the City of Reno. This group of technical experts included land use planners, architects, engineers, landscape architects, designers, and City staff. Based on feedback from the TAC, additional edits were made to the zoning code and the draft document was then sent out for public review and feedback.

Between the months of October through December of 2023, nine separate public stakeholder meetings were held. Four of the meetings were held in person at different locations across the City. Five of the meetings were held virtually. Meeting dates were posted on the City's social media including Facebook, Twitter, Instagram, and Spanish Facebook. The December meeting dates were also shared through Nextdoor.com and through a separate press release that went out in late November, 2023. Attendance was small at each of the meetings with anywhere from 0-15 participants.

Generally, the public comments included:

- Concerns with measurement of noise in the downtown area
- Need for more affordable housing
- Need to encourage more housing
- Concerns with too much development

- Requests to simplify standards
- General concerns with change
- Other technical changes

Staff utilized the feedback received from the Technical Advisory Committee, stakeholders, and the public to provide the Planning Commission with a proposed redline document of Title 18, which was reviewed in the Spring of 2024. The comments provided by the Planning Commission were then brought to the City Council for discussion and direction to staff on key items. City Council provided feedback and direction to staff. Public comment received throughout the process, including emailed comments, comments received by the Planning Commission, and comments received by the City Council can be found as **Exhibit B – Public Comment**, to this staff report.

Staff has prepared amendments to the draft Title 18 Development Code that encompass the provided feedback, which are included in the redline document and further described in this staff report. The following information provides a general overview of the proposed changes to the Development Code, separated by each Chapter and Article of Title 18. Items that are *italicized and underlined* are new additions to the first draft of Title 18 amendments that was made available to the public and provided to Council at the August 28<sup>th</sup>, 2024 meetings, and items that have a ~~strike through~~ are items that were removed and no longer included in the proposed amendments.

The following serves as a summary of the more substantive changes and does not encompass every change. Specific redlines, including all proposed amendments with annotations explaining the changes in more detail are provided in the attached **Exhibit A – Title 18 Annexation and Land Development Code Redline Ordinance**.

#### **Chapter 18.01 General Provisions:**

##### **Article 1 - Title and Effective Date**

- No substantive changes were made.

##### **Article 2 - Purpose**

- No substantive changes were made.

##### **Article 3 - Authority, Applicability, and Exceptions**

- Added authority for the Administrator to correct scrivener’s errors to the zoning code and master plan. This includes misspelling, grammatical errors, numbering errors, cross-referencing errors or inconsistency with rules of styles.
- Included clarification that a nonconforming use approved through a conditional use permit approval can only apply if there is documentation that the nonconforming use was at one time legally established.

##### **Article 4 - Nonconformities**

- Section 18.01.404 is specific to nonconforming structures. Existing code language was

cleaned up to specify that this section of code addresses “structures” and is not applicable to a nonconforming “use”.

- Section 18.01.405 is specific to nonconforming site improvements. Additional language was added to clarify how routine maintenance of a nonconforming site improvement, such as restriping a parking lot, is exempt from being considered alteration or expansion of a nonconforming site improvements. Language was also added to require a minor site plan review when a nonconforming site is expanded or altered.

## **Chapter 18.02 Zoning Districts:**

### **Article 1 - Zoning Districts, Generally**

- Table 2-1: City of Reno Master Plan Land Use and Zoning Based on County Plan or Zoning was updated to add missing zoning and/or land use categories. This table provides the conversion from Washoe County zoning and land uses to a City of Reno zoning and land use at the time of annexation.
- The term “Mixed Use Districts” is used throughout the code. This term includes all the different zoning districts that allow for a mix of uses (i.e. Mixed-Use Urban, Mixed-Use Suburban, General Commercial, Neighborhood Commercial, etc.). This term is confusing because there are also many different zoning districts with the terminology “Mixed Use” in their name, such as Mixed-Use Downtown Entertainment District, Mixed-Use Downtown Innovation District, Mixed-Use Downtown Riverwalk District, Mixed-Use Urban, etc. The term “Mixed Use Districts” has been replaced with “Urban Districts”.
- The term “Nonresidential Districts” is used throughout the code. The term includes all the different zoning districts that include industrial (i.e. Industrial, Industrial Commercial, Mixed Employment, Mixed-Use Airport). The term is confusing because “nonresidential” implies anything that’s not residential. The term “Nonresidential” has been replaced with “Employment Districts”.
- Many of the zoning districts have a maximum building height and a maximum number of stories permitted. Several zoning districts reference a maximum number of stories of 2.5. The maximum number of stories was removed throughout, leaving building height to remain as the measurable standard. Having two sets of standards that conflict with each other is difficult to interpret, especially when having to interpret what’s considered to be a half story.

### **Article 2 - Residential Districts**

- Several residential zoning districts require a minimum usable yard square footage. The standards require that usable square footage have a maximum slope and a minimum width. The maximum slope and minimum width requirement has been removed because it is difficult to measure and the standards don’t seem to be based on anything logical. The minimum usable yard square footage has not been changed.
- The SF-11 zoning district has a maximum building height of 30 feet. All other single-

family zoning districts have a maximum building height of 35 feet. The SF-11 district was changed to 35 feet to be consistent with all the other single-family districts.

- Several lot and building standards in the multi-family zoning districts have been deleted or modified for better clarity. Side setback remained untouched. However, side setbacks specific to projects with two or more units and adjacent to a single-family zoning district were deleted. This continues to be an impediment to infill development and additional standards have been added in other sections of the code requiring additional setback requirements for buildings taller than 24 feet.

### **Article 3 - Urban Districts**

- Side and rear setbacks in certain Urban Districts that allow for a minimum setback of 0' or 5'/10' have been amended to a minimum 0' setback and the larger setback reference has been removed, as it is not typical of development codes to require a larger setback if a 0' setback is allowed. Building and Fire Code requirements will still need to be met, as well as larger setbacks when adjacent to residential zoning.
- A regulation was added in the Mixed-Use Riverwalk District specifying that a major site plan review is required for buildings taller than 45 feet. This requirement was included in another section of the zoning code, but it was difficult to find the location and made more sense under the “lot and building standards”.
- The Mixed-Use Suburban zoning district purpose statement has been expanded to better clarify where the district is appropriate and intended to be located.
- The Professional Office zoning district allows for increased building height from 35 feet up to 55 feet but only in very specific locations or with site limitations. This does not follow any logic and has been expanded to allow for buildings up to 55 feet in height with the approval of a minor site plan review across the broader Professional Office zoning district.

### **Article 4 - Employment Districts**

- Maximum building height was increased in the Industrial Commercial zoning district from 45 feet to 55 feet to be consistent with the other industrial zoning districts.
- Buildings exceeding 500,000 sf in the Industrial Commercial and *Mixed Employment* zoning district currently require approval of a conditional use permit and/or are required to have multiple tenants. This standard was modified to now require a major site plan review, instead of a conditional use permit, and are no longer required to be designed for multiple tenants. The Industrial Commercial and *Mixed Employment* zoning districts are intended for warehousing and manufacturing type buildings and the existing regulations are an impediment to the intended use.

### **Article 5 Special Purpose Districts**

- No substantive changes were made.

### **Article 6 Overlay Districts**

- ~~Table 2-37: Sign Regulations for Gaming Overlay District identifies specific sign regulations for the Gaming Overlay District. There are broader portions of the City that~~

~~are within the Gaming Overlay District and do not include a gaming establishment. Language was added to specify that the additional sign regulations only apply to the actual gaming establishment and not to other types of uses.~~

- Clarification has been added to the parking standards within the Wells Avenue Neighborhood Planning Area.

## **Chapter 18.03 Use Regulations:**

### **Article 1 - Purpose and Organization of this Chapter**

- No substantive changes were made.

### **Article 2 - Table of Allowed Uses**

- The Table of Allowed Uses has been modified to provide more clarity. The multiple designations of P, P2, P3, etc. are unnecessary and have caused confusion. Any item warranting enhanced review, public hearing, or location specific are now denoted with an asterisk in the table, and the additional use standards can be referenced to determine additional level of review.
- Per NRS, manufactures homes are to be considered a single-family residence and are to be permitted in the same zoning districts. The Table of Allowed Uses has been updated to reflect the change.
- The use of a Major Government Facility has been expanded to be allowed in the Industrial and Public Facility zoning districts with the approval of a conditional use permit.
- The Religious Assembly use has been expanded to the Professional Office district.
- *The Childcare Center use has been expanded to be allowed in additional single-family and multi-family zoning districts with the approval of a conditional use permit. Additionally, the use specific standards have been modified to be consistent with Washoe County Human Services, including in-home Childcare definition. School uses have been expanded to be consistent, regardless of primary or secondary school type. This is more consistent with other jurisdictions who often do not differentiate.*
- *The school use type, definition, and use requirements were broadened to include all public and private schools, to better capture all school types. Primary and secondary schools are no longer separated, as the standards have been made consistent. This is also more consistent with neighboring jurisdictions. The School use is allowed in all zoning districts that they were previously allowed in, with the requirements of a minor conditional use permit. Schools that have an anticipated enrollment of 400 or more students are required to obtain a conditional use permit.*
- *Tattoo Parlors have been removed and condensed into general personal service.*
- Bars have been modified to go from a conditional use permit to permitted by-right in the General Commercial zoning district.
- Hotels and motels are two different use types and are currently allowed in different zoning districts. Both uses were expanded to be permitted in additional zoning districts.

- The use Outdoor Amusement or Recreation has been expanded to be allowed in additional zoning districts.
- Car wash was expanded to NC with the approval of a conditional use permit.
- Communication Facility Equipment was expanded to be allowed by-right in residential zoning districts. Use standards are in place that require additional review under certain circumstances.
- Minor Utilities as a use has been expanded to being permitted in the Unincorporated Transition zoning districts.
- Hazardous Waste Facility has been taken out of the majority of Urban zoning districts and limited to the Employment zoning districts with the approval of a conditional use permit.
- Indoor Manufacturing, Processing, Assembly or Fabrication has been amended to require approval of a conditional use permit in Urban zoning districts where it was previously permitted by-right.
- A new use category for a Data Center has been added to the Use Table with associated use standards and parking requirements, all of which can be modified through the required conditional use permit process. Use type allowed in the same zoning districts as the Warehouse use.
- Warehouse/Distribution Centers have been modified to require additional entitlement review in certain zoning districts, and was removed from the Public Facility zone.
- Drive-through Facility food and non-food uses were collapsed into one use, as impacts are generally related to stacking, and this issue is better addressed with a stacking analysis which is a new requirement.
- Drive-throughs are now allowed in NC zones with a CUP to help facilitate drive-throughs on a case-by-case basis.
- Carnival, Circus, Entertainment use standards were deleted, as the standards included are regulated through the business license division special activity permit.
- Sidewalk café changed to sidewalk seating to allow for additional forms of outdoor seating
- Childcare uses have been updated to better align with Washoe County Human Services, which handles the licensing.

### **Article 3 - Use-Specific Standards**

- Use standards specific to Assisted Living Facilities has been modified to be less restrictive.
- Flexibility for Minor Government Facilities has been added to allow the Administrator to modify standards specific to fencing, landscaping, lighting, setbacks, screening, parking and sidewalks is the design changes are based on safety and security.
- Use standards for Schools has been updated to better align with Washoe County and the City of Sparks. In accordance with NRS, all three jurisdictions are supposed to follow

the same set of standards. Additional regulations have been added to require schools to show how the site will accommodate loading and unloading of students.

- For both primary and secondary schools, a CUP will be triggered for a school in excess of 400 students. This is based on council feedback for a desire to have more public feedback for larger schools.
- Limitations on the maximum number of students permitted in certain zoning districts has been modified from 200 to 400 students per school to address the communities growing number of charter schools and their needs.
- Use standards for Animal Clinics, Shelters, Hospitals, Boarding Kennels, or Training Facilities has been expanded to require a conditional use permit when associated with outdoor activities.
- Added language for building, lumber, and landscape material sales to reduce impacts on neighboring properties
- Removed distancing requirements from freeway for gas stations and auto repair to allow more flexibility in relation to location
- Use standards for Auto Service and Repair was modified to require service bays to face streets rather than residents.
- Use standards for Car Wash uses has been added to mitigate impacts (noise, lights, traffic, etc.) on neighboring properties.
- Use standards for Electric Generating Plants and Electric Utility Substations has been modified to provide more clarity. In reviewing the use standards, it was determined that these uses are often unique and require review based on the project and public utility specific concerns, thus it was determined that the conditional use process, already required, would be best to addresses appropriate mitigation requirements and development standards.
- Use standards for crematorium has been modified to account for new processes outlined in NRS. Per NRS 451.635, a crematorium that proposes to cremate the remains only through alkaline hydrolysis or natural organic reduction in which City Council approval is needed and written notice from the City Council to the Nevada Funeral and Cemetery Services Board consenting to the proposed location of the crematorium is required.
- Use standards for Outdoor Storage have been modified for clarity and ease of administering. Additional screening requirements have been added.
- Use standards for Warehouse or Distribution Centers has been added to mitigate impacts on neighboring properties. This includes location of loading docks and screening requirements.

#### **Article 4 - Accessory Uses and Structures**

- Use standards for Drive-Through Facilities has been expanded to address vehicle stacking and screening.

- Use standards for Restricted Gaming have been removed because it was written in a way that cause misinterpretation, and the gaming control board already regulates for these things.
- Use standards for Live Entertainment have been added to provide clarity on how measurements to and from sensitive uses is determined. Additionally, the Live Entertainment definition was amended to align with other City regulations.
- Use standards for Open Lot Parking area has been condensed and simplified. The existing standards have conflicting regulations for temporary parking lot requirements.

#### **Article 5 - Temporary Uses and Structures**

- Use and use standards for carnivals has been removed as it conflicted with business license and created issues with how the event operated.
- Use standards for Stockpiling have been modified to better align with industry standards. Key differences include creating a single set of standards regardless of the zoning district, deleting requirements for noticing neighbors, limiting stockpiling activities to 12 months with a 12 month Administrative extension, removing limitations on stockpile heights and removing limitations on construction hours.

### **Chapter 18.04 Development Standards:**

#### **Article 1 - Natural Resource Protection**

- Changes made to floodproofing requirements to be consistent with Federal Emergency Management Agency (FEMA) definitions.
- Included verbiage to better define major drainageways that are not within a floodplain.
- ~~Tree Protection purpose statement, applicability, and exemptions added from recent tree ordinance work. Verbiage includes a focus on increasing the tree canopy and establishing criteria for replacement of mature trees.~~
- Additional requirements and specificity for Feral Horse management was included to address ongoing issues, including adding a boundary that is consistent with the Nevada Department of Wildlife (NDOW). Verbiage memorializes requirements that were being included in entitlements in the affected area already, as well as additional verbiage suggested by wild horse advocates to better mitigate interface issues.

#### **Article 3 – Grading, Erosion Prevention, and Sedimentation Control**

- Wording was amended to clarify the major site plan review requirements and findings relating to grading and ensure that it was clear that the standards apply to all projects that go through a discretionary review.
- Added flexibility regarding re-vegetation after grading.

#### **Article 4 – Hillside Development**

- Added verbiage allowing the density bonus allocation found in Article 15 to be applied to hillside development projects.

#### **Article 5 – Streets, Utilities, and Services**

- Clarification added regarding timing relating to sidewalk requirements and the measurement used for sidewalk waivers.
- Allowing additional flexibility with regards to undergrounding power lines for public roadway improvements.
- The Truckee Meadows Regional Plan requires there to be a setback from designated Regional Utility Corridors and verbiage was added to address the requirement.

#### **Article 6 – Access, Connectivity, and Circulation**

- Amended the “parking area” reference to clarify that this is in reference to driveways.
- Added language to ensure consistency with Public Works and Engineering requirements and clarification regarding driveway requirements.
- Removed the requirement for alley access due to insufficient maintenance of alleys.
- Verbiage was added to support multimodal transportation with regards to Traffic Impact Analysis requirements.

#### **Article 7 – Off-Street Parking and Loading**

- Flexibility added for change of use with regards to parking requirements, as oftentimes a change of use may not require additional parking. Verbiage includes a relaxation of minimum parking with a parking demand study, which is intended to encourage adaptive reuse.
- Included specific use types in Table 4-6 to ensure consistency with Table 3-1 (Table of Allowed Uses).
- Amended the Automobile, Truck, Mobile Home, RV, Boat, and Trailer Sales or Rental use type parking requirements to be based on the building area, as it was previously more difficult to administer and apply.
- Accessible parking requirements were amended to be consistent with the building code requirements related to accessible parking. This is intended to avoid conflicts in the requirements and during the review process.
- Added bicycle parking requirements to provide a minimum for public uses, reduced the maximum requirement, and allows for bicycle parking to be reviewed on a case-by-case basis to allow for flexibility and alternatives.
- An increase to the percentages of allowed on-street parking and compact parking was included to encourage infill development.
- ~~The excess parking requirements were removed, which will better allow for parking rates that are more dependent on market conditions.~~
- *Allowance for reduced parking with the additional of solar parking structures or solar panel installation included to incentivize solar panel implementation.*
- Included parking area construction material requirements, as it was inadvertently left out from previous code.

#### **Article 8 – Landscaping, Buffering, Screening, and Fencing**

- The landscaping requirements for existing uses were simplified to encourage updating and maintenance of buildings and sites.

- Clarified requirements or included requirements where they were unintentionally left out.
- Removed parking structure landscaping requirements to allow this use to follow the same requirements as all other structures.
- Included verbiage the prohibit pray irrigation within 18 inches of right-of-way to address pavement maintenance and runoff issues.
- With regards to screening standards the existing table was altered to be based on use versus zoning, as utilizing zoning was difficult to implement and caused potential compatibility issues particularly in the mixed-use areas. Redlines also allowed for alternative screening and exemptions where necessary.
- Requirements for screening types were clarified and included additional clarity for the number of required bushes and increased tree frequency. Certain sections related to screening were conflicting and removed for clarity.
- The fences and walls section was reorganized to make it more comprehensible, and included more language to clarify requirements and remove contradictions including fence height conflicts, retaining wall clarification, and battery charges/electric fencing allowance was addressed per NRS.

#### **Article 9 – Site and Building Standards for Residential Districts**

- Included items that were unintentionally left out or required clarification. Additionally, inconsistencies were removed including those with regards to Public Works standards.
- Language altered to allow for more than one driveway in cases where requirements can still be met, consistent with the Public Works Design Manual.
- Additional flexibility with regards to front yard setbacks for infill lots was included.
- To increase compatibility between residential uses and adjacent buildings with regards to height, “Stepback” requirements were clarified, as they were difficult to administer.
- Large vehicle parking requirements were unclear, and clarification was added to better define which vehicles would be subject to the requirements.

#### **Article 10 – Site and Building Standards for Mixed Use Districts**

- Requirements for minimum densities and floor area ratios are often difficult to meet and hinder development in areas we desire development. Additional language. included regarding the modification of the standards through a minor site plan review will enable staff to review appropriate densities and intensities when necessary.
- Removed standards specific to parking structures in an attempt to make parking structures easier to develop.
- Building height and access standards were clarified for the Downtown Riverwalk District.

#### **Article 11 – Site and Building Standards for Nonresidential Districts**

- Duplicative truck loading standards were removed, as they are addressed more in detail in other portions of the development code.
- Screening requirements for trash and loading areas were removed from this section of code, as they are addressed more appropriately in the screening section.

- Removed requirements for parking structures in an attempt not to over-regulate and make parking structures more expensive, as they are desired over large open lots. Structures must still follow building articulation, and pedestrian amenity requirements in certain districts.
- Verbiage addition allows for modification of loading dock screening standards through minor site plan review process.

#### **Article 12 – Improvement Standards for New Development**

- No substantive changes were made.

#### **Article 13 – Exterior Lighting**

- Amended and clarified the threshold for exterior lighting requirements.
- Standards were generally reorganized, unnecessary language was removed and condensed for ease of understanding.
- Removed the regulation for lumens, as this is not something that can be enforced since we do not have the equipment to measure. Two lighting related measurement types are still required: foot candles measure the amount of spillover lighting at property lines, and Kelvins measure the temperature (warm white versus cool white) of lighting which can have a direct effect on perceived brightness.
- Spillover requirements were expanded to all properties versus only when adjacent to residential properties.
- Verbiage included regarding light fixtures within 100 feet of a residentially zoned property or within a residential zone to not exceed 18 feet in height was included to better protect residential properties from light pollution.

#### **Article 14 – Residential Adjacency**

- The applicability with regards to residential adjacency requirements was expanded to include nonresidential development on properties within a larger distance from residential zoning districts, in an effort to better address compatibility issues. Verbiage was also added to address an existing exemption for properties and clarify that they must be less than 35 feet in height and separated by residentially zoned property or a freeway.
- *Applicability for Residential Adjacency requirements were expanded to also include adjacency to mobile home parks.*
- Verbiage regarding drive-through use was removed, as it is addressed more specifically in the drive-through use additional standards.
- Clarification was included regarding illumination of signs.
- Spillover lighting was removed from this section, as it is addressed in the amended Exterior Lighting section of code.

#### **Article 15 – Housing**

- Currently, all new residential and mixed-use development must be in conformance with this article and with applicable City codes. Verbiage added to clarify that this also applies to existing development that adds new units.

- Average unit size calculation for small unit density bonus provision was amended to reflect more appropriate calculation.

#### **Article 16 – Skyways**

- Updated skyway standards to reflect modern application practices.

#### **Chapter 18.05 Signs (being processed as a separate text amendment):**

- ~~Added standards for certain zoning districts that were missing from the table.~~
- ~~Added verbiage to the Gaming related sign regulations to clarify that they only apply to legally established nonrestricted gaming establishments in the overlay.~~

#### **Chapter 18.06 Land Division:**

##### **Article 1 – General Provisions**

- No substantive changes were made.

##### **Article 2 – Development and Design Standards**

- Exemption of common areas from lot size requirements was added, which memorializes practice that already occurs.

##### **Article 3 – Residential Condominiums**

- No substantive changes were made.

#### **Chapter 18.07 Historic Preservation:**

##### **Article 1 – General Provisions**

- No substantive changes were made.

##### **Article 2 – Designation of Historic Resources and Districts**

- Removed unnecessary language that allowed for the use of outside experts, which would be allowed regardless of the inclusion in code.
- Removed unnecessary text describing findings of the Historical Resources Commission (HRC).
- Clarified the process to establish a Historic Landmark Overlay Zone.

##### **Article 3 – Applicable Procedures and Standards for Development**

- Removed the option for staff review, as the HRC should make all determinations for historic structures.
- Removed dates and references that are outdated.
- Removed reference to pre-application meeting with a subcommittee as the subcommittee was never established. Pre-application meetings are still available for any project.
- Modified finding language to match Secretary of Interior standards.

#### **Chapter 18.08 Administration and Procedures:**

##### **Article 1 – Purpose and Organization**

- No substantive changes were made.

##### **Article 2 – Summary Table and Review Procedures**

- Ensured consistency with Nevada Revised Statutes and our listed review procedures.

- Memorialized process to allow for applications to be elevated and combined for concurrent review.
- Clarity language added relating to intake schedules, working days, and noticing requirements for continued items.

### **Article 3 – Common Review Procedures**

- No substantive changes were made.

### **Article 4 – Annexation and Master Plan Procedures**

- No substantive changes were made.

### **Article 5 – Ordinance Amendments and Interpretations**

- Included certification and recordation requirements and process to allow for minor amendments to Specific Plan Districts, similar to existing requirements for Planned Unit Developments.

### **Article 6 – Development Permits**

- Clarified and expanded residential adjacency standards to require a minor site plan review for nonresidential development within 300 feet of property in a residential zoning district, consistent with the amended Section 18.04.1402.
- Amended operational hour Conditional Use Permit (CUP) exemptions to be more restrictive due to compatibility issues. Certain previously exempt uses, such as warehouse uses in the Industrial zone, will require approval of a CUP to operate 24 hours a day *if within 300 feet of residential zoning*.
- Clarification added for uses that inherently operate 24 hours a day, such as hotels and motels, freestanding birthing centers, and data centers.

### **Article 7 – Subdivision Procedures**

- No substantive changes were made.

### **Article 8 – Flexibility and Relief**

- Expanded allowance for applicability of Alternative Equivalent Compliance usage to Employment Districts.

### **Article 9 – Review and Decision-Making Bodies**

- HRC composition and terms of office were amended to be more consistent and flexible.

## **Chapter 18.09 Rules of Construction and Definitions:**

### **Article 1 – Rules of Construction and Interpretation**

- No substantive changes were made.

### **Article 2 – Rules of Measurement and Exceptions**

- Clarified certain rules of measurement to ensure consistency with implementation for items such as lot depth, lot width, Floor Area Ratio calculation, intrusions into setbacks, residential adjacency, and rounding.

### **Article 3 – Definitions of Use Categories and Use Types**

- Alphabetized use definitions for ease of use.
- Removed redundancies and inconsistencies with other portions of code, state law, or other entity definitions, such as sports stadium and arena, childcare, and driveway.
- Clarified definitions where they were previously unclear or there were difficulties with implementation, such as animal daycare, restaurant and on-premise food and beverage consumption, and front yard.
- Added new definitions where necessary to address new Data Center use, Childcare Workplace use, alarm system, attached, battery charged fence, gross floor area, Mobile Home, and retaining wall.
- Included condominiums in Dwelling, Multi-family definition. Exclusion existed from previous code due to Condominiums being a separate use, which was not carried through to the current code. This is not typical, and many condominium style projects would fall under this type of use.
- Included freestanding birthing centers in the Medical Facility, Day Use definition, which must be addressed in our code per NRS.
- Better defined amplification as it is subjective and not enforceable in the current form of the code.
- Amended definition of Kitchen to lessen instances of different interpretations and to make it be more consistent with other codes.

### **Findings:**

***General Review Criteria:*** The decision-making body shall review all development applications for compliance with the applicable general review criteria stated below.

- 1) Consistency with the Reno Master Plan: The proposed development shall be consistent with the Reno Master Plan. The decision-making authority:
  - a. Shall weigh competing plan goals, policies, and strategies; and
  - b. May approve and application that provides a public benefit even if the development is contrary to some of the foals, policies, or strategies in the Reno Master Plan.
- 2) Compliance with Title 18: The proposed development shall comply with all applicable standards in this Title, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.
- 3) Mitigates Traffic Impacts: The project mitigates traffic impacts based on applicable standards of the City of Reno and the Regional Transportation Commission.
- 4) Provides Safe Environment: The project provides a safe environment for pedestrians and people on bicycles.
- 5) Rational Phasing Plan. If the application involves phases, each phase of the proposed development contains all of the required streets, utilities, landscaping, open space, and other improvements that are required to serve or otherwise accompany the completed of the project, and shall not depend on subsequent phases for those improvements.

***Amendments to Text of Title 18:*** Text amendments shall be in substantial conformance with the statement of purpose and intent for this Title, as set forth in Chapter 18.01 Article 2, *Purpose*, and the Master Plan:

- The general purpose of this Title is to promote the public health, safety, and welfare by providing appropriate and reasonable controls for the development and use of lands in Reno, while also protecting the rights of property owners. This Title also is intended to:
  - (a) Implement the policies, goals, and strategies adopted by the City of Reno, including those set forth in the Reno Master Plan and other adopted plans;
  - (b) Promote, preserve, and protect environmental quality as a critical element in Reno's quality of life and encourage the wise use of natural resources;
  - (c) Conserve and enhance the architecture, history, pedestrian-orientation, mixed-use, and urban character of Downtown Reno, and promote its role as regional government, civic, entertainment, and tourist center;
  - (d) Promote economic development and the improvement of property, with priority given to adaptive reuse and redevelopment projects in Downtown Reno and urban mixed-use areas;
  - (e) Conserve and enhance the character of Reno's established residential neighborhoods through mitigation of adverse factors, promotion of a balanced mix of housing types, and through appropriately scaled and planned infill development;
  - (f) Encourage innovative, affordable, and quality residential development so that growing demand for housing may be met by greater variety in type, design, and layout of dwellings, and by conservation and more efficient use of open space ancillary to such dwellings;
  - (g) Encourage quality, nonresidential development that preserves and protects the character of the community, including its natural landscape, and that minimizes objectionable noise, glare, odor, traffic, and other impacts of such development, especially when adjacent to residential uses;
  - (h) Facilitate adequate provision of transportation, water, wastewater, electricity, gas, communications, schools, parks, trails, stormwater management, and other public requirements; and
  - (i) Provide the economic and social advantages gained from a comprehensively planned use of land resources.

**Financial Implications:**

None at this time.

**Legal Implications:**

Legal review completed for compliance with City procedures and Nevada law.

**Recommendation:**

Planning Commission recommends Council move to refer Bill No. \_\_\_\_\_ for a second reading and adoption.

**Proposed Motion:**

I move to refer to refer Bill No. \_\_\_\_\_ for a second reading and adoption.

**Attachments:**

Exhibit A – Title 18 Annexation and Land Development Code Redline Ordinance

Exhibit B – Public Comment

Exhibit C – November 21, 2024 Planning Commission Minutes

Exhibit D – RGJ Public Notice Publication