



WASHOE COUNTY

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CM/ACM	<u>KS</u>
Finance	<u>DN</u>
DA	<u>NC</u>
Risk Mgt.	<u>N/A</u>
HR	<u>N/A</u>
Clerk	<u>CS</u>

STAFF REPORT BOARD MEETING DATE: October 11, 2016

DATE: September 21, 2016
TO: Board of County Commissioners
FROM: Dave Solaro, Architect, P.E., Director,
 Community Services Department, 328-3624, dsolaro@washoecounty.us
THROUGH: Kevin Schiller, Assistant County Manager

SUBJECT: Possible action to introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code) within Article 306, *Accessory Uses and Structures*, at Section 110.306.10, *Detached Accessory Structures* to add regulations governing the establishment of agricultural hoop houses and high tunnels, including requiring them to meet detached accessory structure placement standards and height limitations for the applicable regulatory zone, but exempting them from general lot coverage limitations; within Article 902, *Definitions*, at Section 110.902.15, *General Definitions* to add a definition for "Hoop House/High Tunnel"; and other matters necessarily connected therewith and pertaining thereto.

And, if supported, set the public hearing for second reading and possible adoption of the Ordinance for November 15, 2016. (All Commission Districts.)

SUMMARY

Discussion and possible action to introduce and conduct a first reading of an ordinance amending the Washoe County Development Code within Articles 306 and 902 to establish a definition, standards and exceptions for agricultural hoop houses and high tunnels.

Washoe County Strategic Objective supported by this item: Stewardship of our community.

PREVIOUS ACTION

On September 6, 2016, the Washoe County Planning Commission unanimously recommended approval of DCA16-006 by Resolution Number 16-15 (Attachment A).

On April 26, 2016, the Washoe County Board of Commissioners (Board) initiated amendments to the Development Code and Building Code to define and create exceptions to the requirements for permitting agricultural hoop houses and high tunnels, and directed

staff to incorporate policy direction provided by the Board at their March 8, 2016 meeting.

On March 8, 2016, the Board gave policy direction to staff regarding amending the Washoe County Building Code and Development Code to address agricultural hoop houses and high tunnels. This discussion focused on providing a definition for such enclosures and potentially exempting them from requiring a building permit or needing to meet structural requirements of the Building Code.

BACKGROUND

Agricultural hoop houses and high tunnels are used to protect crops from the elements and extend the growing season in our region. Per a request from the Board in 2015, hoop houses are exempted from requiring a building permit. However, they are currently still required to meet minimum life safety requirements for wind, snow and seismic loading. This amendment will define hoop houses and high tunnels so that they can subsequently be exempted from certain standards. An amendment to the Washoe County Building Code is being developed, and based on the action associated with this Development Code amendment, will allow for hoop houses and high tunnels to be exempted from building permits and structural requirements.

The proposed Development Code amendment will provide for the following changes:

- Section 110.902.15, *General Definitions* – add a definition for “hoop house/high tunnel” that was created with feedback from local experts in the use of hoop houses and high tunnels.
- Section 110.306.10, *Detached Accessory Structures* – create a new sub-section identifying that agricultural hoop houses and high tunnels are exempt from lot coverage limitations, are subject to the same placement standards as detached accessory structures, and are limited in height by the applicable regulatory zone.

The language of the proposed amendments is provided in Attachment B.

FISCAL IMPACT

No fiscal impacts are anticipated.

RECOMMENDATION

It is recommended that the Board of County Commissioners introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code) within Article 306, *Accessory Uses and Structures*, at Section 110.306.10, *Detached Accessory Structures* to add regulations governing the establishment of agricultural hoop houses and high tunnels, including requiring them to meet detached accessory structure placement standards and height limitations for the applicable regulatory zone, but exempting them from general lot coverage limitations; within Article 902, *Definitions*, at Section 110.902.15, *General Definitions* to add a definition for “Hoop House/High Tunnel”; and other matters necessarily connected therewith and pertaining thereto.

It is further recommended that the Board set the public hearing for second reading and possible adoption of the ordinance for November 15, 2016.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to introduce Bill Number (insert bill number as provided by the County Clerk) and to set the public hearing and second reading of the Ordinance for possible adoption during the meeting of November 15, 2016.”

- Attachments:
- A. Planning Commission Resolution 16-15
 - B. Working copy, DCA16-006 (WCC Chapter 110 amendments)
 - C. DRAFT Minutes of the September 6, 2016 Planning Commission



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING APPROVAL OF AMENDMENTS (DCA16-006) TO THE WASHOE COUNTY CODE AT CHAPTER 110 (DEVELOPMENT CODE) WITHIN ARTICLE 306, ACCESSORY USES AND STRUCTURES, AT SECTION 110.306.10, DETACHED ACCESSORY STRUCTURES, TO ADD REGULATIONS GOVERNING THE ESTABLISHMENT OF AGRICULTURAL HOOP HOUSES AND HIGH TUNNELS, INCLUDING REQUIRING THEM TO MEET DETACHED ACCESSORY STRUCTURE PLACEMENT STANDARDS AND HEIGHT LIMITATIONS FOR THE APPLICABLE REGULATORY ZONE, BUT EXEMPTING THEM FROM GENERAL LOT COVERAGE LIMITATIONS; WITHIN ARTICLE 902, DEFINITIONS, AT SECTION 110.902.15, GENERAL DEFINITIONS TO ADD A DEFINITION FOR "HOOP HOUSE/HIGH TUNNEL"; AND OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 16-15

WHEREAS

- A. Development Code Amendment Case Number DCA16-006 was initiated by the Washoe County Board of Commissioners on April 26, 2016 pursuant to WCC Section 2.030; and
- B. The proposed Development Code amendment came before the Washoe County Planning Commission for a duly noticed public hearing on September 6, 2016; and
- C. The Washoe County Planning Commission heard public comment and input from staff and the public regarding the proposed Development Code amendment; and
- D. A public workshop was held August 3, 2016 in order to seek feedback from the public regarding the proposed Development Code amendment; and
- E. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Development Code amendment; and
- F. Pursuant to Washoe County Code Section 110.818.15(e), the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Development Code amendment, Case Number DCA16-006:
 - 1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
 - 2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;

3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

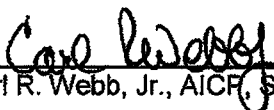
NOW, THEREFORE, BE IT RESOLVED that pursuant to Washoe County Code Section 110.818.15(d) and (g):

1. The Washoe County Planning Commission does hereby recommend APPROVAL of DCA16-006, an amendment to the Washoe County Code at Chapter 110 (Development Code) within Article 306, *Accessory Uses and Structures*, at Section 110.306.10, *Detached Accessory Structures* to add regulations governing the establishment of agricultural hoop houses and high tunnels, including requiring them to meet detached accessory structure placement standards and height limitations for the applicable regulatory zone, but exempting them from general lot coverage limitations; within Article 902, *Definitions* at Section 110.902.15, *General Definitions* to add a definition for "Hoop House/High Tunnel"; and other matters necessarily connected therewith and pertaining thereto, as set forth in Exhibit A-1; and,
2. A report describing this amendment, discussion at this public hearing, this recommendation, and the vote on the recommendation will be forwarded to the Washoe County Board of Commissioners within 60 days of this resolution's adoption date.

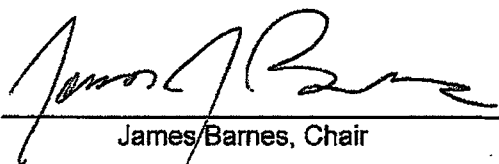
ADOPTED on September 6, 2016.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:



Carl R. Webb, Jr., AICP, Secretary



James Barnes, Chair

WORKING COPY
INFORMATION ONLY

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETED 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 the Development Code by defining "Hoop House/High Tunnel," regulating their use, requiring them to meet detached accessory structure placement standards and height limitations, and exempting them from general lot coverage limitations.

BILL NO. _____

ORDINANCE NO. _____

TITLE:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Article 306, *Accessory Uses and Structures*, at Section 110.306.10, *Detached Accessory Structures* to add regulations governing the establishment of agricultural hoop houses and high tunnels, including requiring them to meet detached accessory structure placement standards and height limitations for the applicable regulatory zone, but exempting them from general lot coverage limitations; within Article 902, *Definitions*, at Section 110.902.15, *General Definitions* to add a definition for "Hoop House/High Tunnel"; and other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. Pursuant to Washoe County Code (WCC) 2.030, the Washoe County Commission initiated the proposed amendments to WCC Chapter 110, Development Code, on April 26, 2016; the amendments and this ordinance were drafted in conjunction with the District Attorney; the Planning Commission held a duly noticed public hearing for DCA16-006 on September 6, 2016, and adopted Resolution Number 16-15 recommending adoption of this ordinance; and,

B. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Board of County Commissioners desires to adopt this Ordinance; and

C. This Board of County Commissioners has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, and is therefore 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 110.306.10 is hereby amended to add subsection (j):

(j) Hoop Houses and High Tunnels. Hoop houses and high tunnels, as defined in Section 110.902.15, General Definitions, may be established subject to the following regulations:

- (1) Must meet all Washoe County placement standards for a detached accessory structure;**
- (2) Are exempt from the lot coverage limitations established in Section 110.306.10(a); and**
- (3) The height of a hoop house or high tunnel at its tallest point shall not exceed the allowable height for the regulatory zone within which it is located.**

SECTION 2. Section 110.902.15 is hereby amended to add a definition for "Hoop House/High Tunnel" as follows:

Hoop House/High Tunnel. "Hoop House" or "High Tunnel" means an enclosure that is used to cover and protect crops from sun, wind, excessive rainfall, or cold, to extend the growing season in an environmentally safe manner and having a life span of approximately 5 years. The coverings for these enclosures utilize flexible, not rigid materials.

SECTION 3. 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 the 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.

DRAFT: September 21, 2016

- 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 it 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.

Proposed on _____ (month) _____ (day), _____ (year).

Proposed by Commissioner _____.

Passed _____ (month) _____ (day), _____ (year).

Vote:

Ayes: Commissioners _____

Nays: Commissioners _____

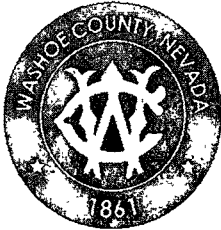
Absent: Commissioners _____.

Attest:

County Clerk

Chair of the Board

This ordinance shall be in force and effect from and after the _____ day of the month of _____ of the year _____.



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

James Barnes, Chair
Sarah Chvilicek, Vice Chair
Larry Chesney
Francine Donshick
Philip Horan
Greg Prough
Carl R. Webb, Jr., AICP, Secretary

Tuesday, September 6, 2016
6:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in a scheduled session on Tuesday, September 6, 2016, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

8. Public Hearings

E. Development Code Amendment Case Number DCA16-006 – Hearing, discussion, and possible action to amend Washoe County Chapter 110 (Development Code) within Article 306, *Accessory Uses and Structures*, at Section 110.306.10, *Detached Accessory Structures* to add regulations governing the establishment of agricultural hoop houses and high tunnels, including requiring them to meet detached accessory structure placement standards and height limitations for the applicable regulatory zone, but exempting them from general lot coverage limitations; within Article 902, *Definitions*, at Section 110.902.15, *General Definitions* to add a definition for "Hoop House/High Tunnel"; and other matters necessarily connected therewith and pertaining thereto.

- Prepared by: Kelly Mullin, Planner
Washoe County Community Services Department
Division of Planning and Development
- Phone: 775.328.3608
- E-Mail: kmullin@washoecounty.us

Mr. Webb provided a brief description of the item.

Chair Barnes called for disclosures of ethics or ex-parte communications by Commissioners. There were none.

Chair Barnes opened the public hearing.

Dave Solaro, Community Services Director gave a presentation based on what they are trying to accomplish with this DCA. The Board of County Commissioners heard an issue with Hoop Houses and they are trying to solve one issue. The issue is that currently Hoop Houses require a building permit in Washoe County. To be able to exempt hoop houses from requiring a building permit in the Building Code (Washoe County Code, Chapter 100), they need to have a definition of what a hoop house is. The definitions reside in Washoe County Code, Chapter

110. Staff has defined a hoop house as listed in the presentation. "Hoop House" or "High Tunnel" means an enclosure that protects crops and extends the growing season and is temporary in nature. Framing can be made from a variety of items, have a flexible covering and they can be various sizes. Staff came up with the definition of Hoop Houses and High Tunnels by working with Cooperative Extension members and professionals at Urban Roots: Hoop Houses and High Tunnels are used to cover and protect crops from sun, wind, excessive rainfall, or cold, to extend the growing season in an environmentally safe manner and having a life span of approximately 5 years. The coverings for these enclosures utilize flexible, not rigid materials. This is to make sure we are not talking about greenhouses, which are full blown structures that need to meet the requirements of the Building Code. We are defining a hoop house so that we can exempt it from permits and exempt it from the requirements of the building code. The building code requires these to meet wind loading, snow loading, earthquake loading, at lot of these things, these structures simply cannot do. But, we want to be friendly to our agricultural partners and allow these within Washoe County without a permit.

One of the other items in this proposed amendment is to require that hoop houses meet the placement standards for detached accessory structures; they are not placed in set-backs, they are exempt from the lot coverage associated with accessory structures. The height of the hoop house shall not be higher than the tallest portion of the regulatory zone in which they are located. They can be taller than the house, as long as they are less than the height of the regulatory zone.

Mr. Solaro summarized that the intent of the amendment is to create a definition of hoop houses within the development code with a couple of small regulations associated with it, so we can exempt these structures from needing a building permit and they can be utilized within Washoe County. Mr. Solaro reviewed the four code amendment findings: Consistency with Master Plan, Promotes the Purpose of Development Code, Response to Changed Conditions, and No Adverse Effects, and also reviewed a possible motion for the Planning Commission. Mr. Solaro concluded the staff presentation and stated his availability to answer any questions.

Chair Barnes opened public comment.

James Benthin, stated that he wants to emphasize that hoop houses are personal property and he would not support requirements for building permits for them. He would like any new language written to make it as easy as possible for those property owners to build one.

Gary Schmidt, stated that he generally supports the proposed amendments; however, he is opposed to (j) (1): must meet all Washoe County placement standards for a detached accessory structure. Mr. Schmidt stated, it's not a structure. It's not an accessory structure. Mr. Schmidt said, that's the object of what you're doing here, is to get it out of the purview of a building permit. It's not a building or structure defined in the building code; it's not an accessory structure as defined within the development code. He supports the definition, which goes most of the way to remove the restrictions placed by the building code. He supports (j) (2), which exempts it from the lot coverage limitations, and he supports (j) (3), which limits the height to the regulatory zone, which would never occur, in any event. Mr. Schmidt restated that he opposed (j) (1) which he believes allows a back door to the back end of the building code, because it used the term, "detached accessory structure" which is a building code term.

Joannah Schumacher, stated she was there on behalf of several, both partisan and bipartisan groups of men and women, I will specially choose "Gifted Minds With Too Little Time" as the one I am representing today. We are all people who live in Washoe County. Ms. Schumacher stated she wanted to cover something that disturbed her that staff said during the cargo

containers as she thinks it applies here with hoop houses, and that was they are using "the best practices across the Country" and that is code for Agenda 21. And we are adamantly against anything that has to do with Agenda 21. We know that it is easier for staff to get these codes from the "United Nation non-profits" who are helpfully offering them that you can alter. I would ask that staff actually come up with these codes on their own and not ask assistance from those people. She stated she is a little worried about when we start to nickel and dime and define every little piece of verbiage that goes on here, and one of the things I'm opposed to, and that my group is opposed to, is speaking to "rigid materials." When you are setting up a greenhouse, that is a non-permanent structure, especially the young people who are very much into reusing and recycling, will use whatever they can get their hands on. And sometimes that is ridge plastic, that they are going to recycle and put to use to extend their growing season. When you define it and they can't use that, now you're saying they need to get a building permit, for a little extra extension on the growing season, and anybody who has tried to grow something in Reno knows you need an extension of your growing season. I would ask that you strike that language from the hoop house definition. Ridge materials can be used in a "hoop house" sort of situation. Again, I would ask that you carefully watch when staff brings things forward in which they are trying to comply or harmonize us with other parts of the country. We are not other parts of the country, we are Washoe County and we have our own way of doing things and it doesn't have to conform or comply with other parts of the country.

Katherine Snedigar, stated she is a non-person, non-resident, unenfranchised, natural woman. I am not a legal fiction, I am speaking for the Palomino Valley Property Owners in Warm Springs, who are pretty sick and tired of groups and planning commissions and some guy with wild hair needing an ordinance for something. No ordinance for a greenhouse whatsoever, nothing. Same with containers. You try to tell us we have to paint our container. No we don't. It's private property. It's personal property. And my property is not open to the public. And I don't care what the American Planning Association submits and ICLE supports, it's not American. It's part of the UN agenda, which is the master plan, the regional plan for the globe. ICLE are individual master plans, just like you have going on here, we can just interchange the names out of Washoe County and put in ICLE. It would at least tell people the truth about what you are doing up there. Sitting there in a commercial capacity; we're tired of commercial ordinances being place on the men and women of the County, who are not fictions. You don't get to regulate everything we do in the County. I'm going to plant a tree. Do I need to call you and get a permit? It's going to be a tall tree, might be 15 gallons; might be a 60 gallon bucket. Do I need to get a permit for that? After all, it doesn't say I can do that in the development code. And it says if it's not enumerated here, you are prohibited from doing it. Stop with getting into the micromanaging of people's lives. Hoop houses need no regulations. Unless you can tell me what the health, safety or welfare problem is with it. If there is no health, safety or welfare problem to the public you cannot impose that stuff on the men and women of the County who are also not legal fictions. They're hard working people who pay you people, and pay you! And what do you do? You screw us every time you can. And this is just more of the same. And it has to stop. My neighbors and friends in Palomino Valley that are property owners, moved out there to get away from residential regulations. Oh, but you know what? We're still under residential regulations. How can that be? We're 40 acres or more. How are we are a residential regulatory zone? When we are actually an agricultural area. We are tired of this, tired of the constant intrusion – getting comments, like, you would be surprised how many people come through Palomino Valley and complain. Well, they don't live there and they don't leave their name when they complain. And you cannot accept a complaint if it doesn't have a name, address and phone number attached to it. You're not our gods telling us what to do. We are your bosses! We tell you how we're going to live our lives. You don't get to decide that through aesthetics. You're not a homeowners association. You don't get to regulate that. If some neighbor is upset about a container or a hoop house, you know what they can do? The

same thing you would try to make me do. Put up a fence were they can't see or plant some vegetation. That shouldn't be on me, if the neighbor's upset. Fix it yourself, on your own property. This has got to stop. You're not our bosses. You don't run our lives; I don't care what the code says. If it's not constitutional, you can't do it! And we're tired of having to come here and say this all the time. Not just to you, but to the County Commissioners who don't listen either. You have a specific mind set; this is what we have to do. This is what they are told to do; this is how we have to do it. No more globalist laws, no more globalist laws. No more getting in... There's nothing in development code that says you can have sex in your house, don't you think you better do something about that too?

Tim Stoffel, stated he was speaking tonight as a human being that lives, breathes and eats. Mr. Stoffel stated that he general supports any changes that make it easier for people to put these agricultural structures whether they are made of rigid materials or flexible materials as long as they are basically the kind of temporary structures that they are. We are all living beings, we all eat and because we all eat we need food and growing food should be a basic human right that is not interfered with by any board, commission or legal authority. Growing our own food is a basic part of our existence. Anything that gets in the way, including Agenda 21 based development codes, or whatever its successor is today, we need to make sure that if there has to be any codes what-so-ever there needs to be a darn good reason for them, and right now I'm not hearing any good reason for this. As long as any material that is used is flexible enough not to be a harm in the wind storm, there's no reason to regulate any of this. I haven't seen any of these hoop houses that would really harm anything except in a wind storm that's so bad you shouldn't be out in it anyway. Let's keep these things as unregulated as possible so people can grow their own food. The day is coming on this increasingly crowded planet that this will be more and more important. Mr. Stoffel closed by saying the best government governs the least.

Juanita Cox, asked that the following statement be placed into the record: My name is Juanita Cox, I am a living woman, not a fiction, I am not a person because all of my persons are my corporations tonight and this for letting people understand what the law says, the law being the NRS. I do own multiple Washoe County properties, but I do not live at those properties. I do own a number of personal property occasional hoop houses I would say, because when I hear of frost, I jump up and take my rigid pallets or perhaps a rigid or semi rigid plastic and/or metal pole and I put in a hoop house. Gee, I even take a blanket occasionally and throw it over those plants that I want, because I can do that. I can do that without a government agency telling me what I can and can't do. I can grow my own food. I can even grow it in my front yard, where some places they aren't allowing that. That is crazy, because people do not understand whom they are, and who the government is. The government is controlled by the people. If they would only understand. All laws, which I work at very hard to help the people within the State of Nevada and the United States, and who cares? You better. Health, safety and welfare is the only thing the government has control of. If the neighbors, or whomever, doesn't like my hoop house, or whatever. Tough. Sue me. That's what our other branches of government do. We have to get a grip; the people are being oppressed by the very entity that they are paying for. We are the leaders, not you. Thank you.

Chair Barnes called for further public comment, there being none, Chair Barnes called for Commission questions to be directed to staff or members of the public. Commissioner Chesney asked for explanation from Mr. Solaro as to the reason for flexible materials versus rigid materials. Mr. Solaro replied that the distinction being made is between a fully rigid greenhouse and a temporary structure, such as a hoop house. It took a lot of time to get to the point where we decided a flexible membrane is what they were looking for (for a hoop house), not necessarily glass panels or rigid plastic panels. Commissioner Chesney asked if that was what the five year mark is for, that usually the temporary materials deteriorate after five years? Mr.

Solaro responded that was correct and the fact that hoop houses also need to be moved, for the health of the soil, about every five years. Mr. Solaro stated that it is very difficult to create a definition for “temporary” that works within both the building code and the development code. That’s why we were trying to get away from trying to define a temporary structure, so we said generally five years, that’s about what these things last.

Commissioner Horan asked if subsection (j) (1) must meet all Washoe County placement standards is in reference to set-backs? Mr. Solaro replied that was correct.

Commissioner Donshick asked for clarification on permits. She said it clearly states that ...these include removing the requirement for hoop houses as defined in the Development Code (Chapter 110) to be built in accordance with the adopted Building Code and not requiring a building permit, so you are removing the basic development codes that might have been over them, and there are no permits; the only thing you are talking about is the placement standards, which are set-backs. Mr. Solaro replied that currently, all of these structures require a building permit if they are over 200 square feet. The direction from the Board of County Commissioners was to figure out a way to make this so we don’t require a building permit. The way to do this is to define them, while defining them, they are an accessory use structure, so we had some parameters around those, now we can take this to the Board and say, we have the definition, and under that definition, we want to make sure they are exempt from the building code.

Chair Barnes called for further questions and seeing none, closed the public hearing. Chair Barnes called for discussion from the Commission, seeing none, the Chair called for a motion. Commissioner Donshick made a motion on item 8E, “I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission recommend approval of DCA16-006, to amend Washoe County Chapter 110 (Development Code) within Articles 306 and 902 as identified in Exhibit A-1. I further move to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission’s recommendation to the Washoe County Board of Commissioners within 60 days of today’s date. This recommendation for approval is based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e).” Chair Barnes called for second. Commissioner Chvilicek seconded the motion. Chair Barnes called for discussion on the motion. Commissioner Horan stated that the application was a good effort to reduce government regulation and said he fully supported it to move forward. Chair Barnes called for further discussion on the motion, there being none, the Chair called for a vote.

Commissioner Chesney, Aye
Commissioner Horan, Aye
Commissioner Chvilicek, Aye
Commissioner Donshick, Aye
Commissioner Prough, Absent
Chair Barnes also voted Aye,
The motion passed unanimously.

The attached document was submitted to the **Washoe
County Board of Commissioners** during the meeting

held on 10-11-16

by Dave Solara

for Agenda Item No. 12

and included here pursuant to NRS 241.020(7) as

amended by AB65 of the 2013 Legislative Session.



Development Code Amendment DCA16-006

HOOP HOUSES & HIGH TUNNELS



Washoe County Commission
October 11, 2016



What is a hoop house/high tunnel?

- **Protects crops and extends growing season**
- **Intended to be temporary structures**
- **Framing: Wire, PVC pipe, metal piping, 2x4s**
- **Covering: Flexible material**
 - Plastic sheeting, shade cloth, etc.
- **Various sizes**

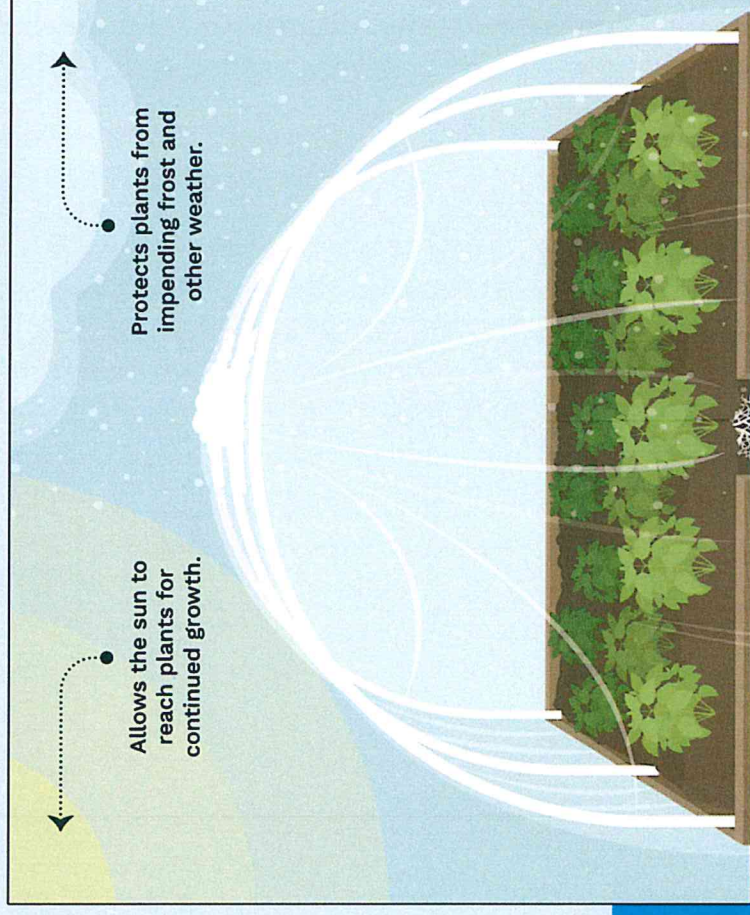


Image source: Fix.com



Background

- **2015: Hoop houses/high tunnels (HHHT) exempted from building permits**
 - Still must meet wind/snow/seismic regs
- **March 2016: BCC direction to exempt HHHT from structural requirements**
- **April 2016: BCC initiated amendment to define and create exceptions for HHHT**



Background

- **August 2016: Public Workshop**
 - Changes to draft based on workshop comments
- **September 2016: Planning Commission recommended approval of amendments**



Proposed Changes

Section 110.902.15, General Definitions

- **Add a definition for Hoop House/High Tunnel**
 - Created with feedback from local experts

Hoop House/High Tunnel. “Hoop House” or “High Tunnel” means an enclosure that is used to cover and protect crops from sun, wind, excessive rainfall, or cold, to extend the growing season in an environmentally safe manner and having a life span of approximately 5 years. The coverings for these enclosures utilize flexible, not rigid materials.



Proposed Changes

Section 110.306.10, Detached Accessory Structures

- **New sub-section for hoop houses/high tunnels**
- **Requirements:**
 - Meet placement standards for detached accessory structures
 - Not exceed allowable height for applicable zoning
 - Exempt from lot coverage limitations



Possible Motion

“Move to introduce Bill Number *(insert bill number as provided by the County Clerk)* and to set the public hearing and second reading of the Ordinance for possible adoption during the meeting of November 15, 2016.”



QUESTIONS?

