

Item # 8D

**City of Carson City  
Agenda Report**

**Date Submitted:** July 10, 2007

**Agenda Date Requested:** July 19, 2007

**Time Requested:** 15 minutes

**To:** Mayor and Board of Supervisors

**From:** Development Services - Planning Division

**Subject Title:** Action to introduce, on first reading, Bill No. \_\_\_\_\_, an ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010, Words and Terms Defined, to modify the definitions of "Retail Sales" and "Secondhand Business" to define specialty used goods shops as a retail use; amending Chapter 18.04, Use Districts, Section 18.04.010, Districts Established, to replace the Downtown Commercial District with the Downtown Mixed-Use District; amending Section 18.04.125, Downtown Commercial, to modify the list of permitted and conditional uses for the new Downtown Mixed-Use District; amending Section 18.04.195, Non-Residential Districts Intensity and Dimensional Standards, to delete the Downtown Commercial District and add standards for the new Downtown Mixed-Use district; amending Chapter 18.07, Downtown Business District, to Modify the process-oriented standards for review of development within the new Downtown Mixed-Use District; amending Chapter 18.16, Development Standards, Division 2, Parking and Loading, Section 2.2, Number of Spaces Required, to add specific parking requirements for the new Downtown Mixed-Use District; and amending Chapter 18.16, Development Standards, Division 6, Downtown Business District, to replace the existing Downtown Business District standards with standards for the new Downtown Mixed-Use District relating to height, parking, setbacks, signs and other design requirements, and other matters properly related thereto. (File ZCA-07-057)

**Staff Summary:** The proposed amendment to the Zoning Ordinance would replace the existing *Downtown Business District* standards with standards for the new *Downtown Mixed-Use* zoning district.

**Type of Action Requested:**

- Resolution
- Ordinance - First Reading
- Formal Action/Motion
- Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Planning Commission Action:** Recommended approval June 27, 2007, by a vote of 7 Ayes and 0 nay.

**Recommended Board Action:** I move to introduce, on first reading, Bill No. \_\_\_\_\_, an ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.03, Definitions, Chapter 18.04, Use Districts, Chapter 18.07, Downtown Business District, and Chapter 18.16, Development Standards, to replace the existing Downtown Commercial and Downtown Business District standards with standards for the new Downtown Mixed-Use District relating to height, parking, setbacks, signs and other design requirements, and other matters properly related thereto, as published on the agenda, based on the finding contained in the staff report.

**Explanation for Recommended Board Action:** The Board of Supervisors, pursuant to Carson City Municipal Code, is required to take final action on all code amendments.

**Applicable Statute, Code, Policy, Rule or Regulation:** CCMC 18.03 (Zoning Code Amendments).

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

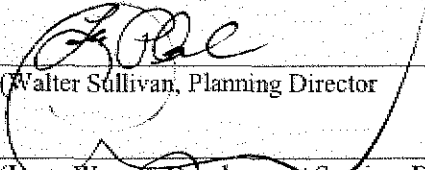
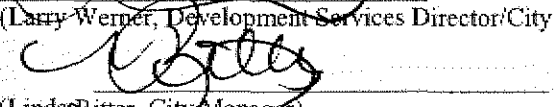
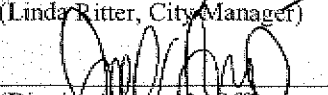
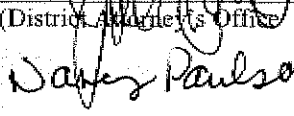
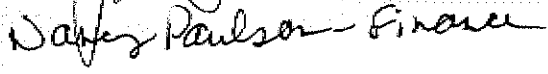
**Funding Source:** N/A

**Alternatives:** 1) Refer the matter back to Planning Commission for further review, or, 2) Deny the ordinance

**Supporting Material:** 1) Ordinance  
2) Planning Commission Case Record  
3) Staff Report to Planning Commission

**Prepared By:** Donna Fuller, Administrative Services Manager

**Reviewed By:**

 _____ (Walter Sullivan, Planning Director)	Date: <u>7/10/07</u>
 _____ (Larry Werner, Development Services Director/City Engineer)	Date: <u>7/10/07</u>
 _____ (Linda Ritter, City Manager)	Date: <u>7/10/07</u>
 _____ (District Attorney's Office)	Date: <u>7/10/2007</u>
 Nancy Paulson - Finance	<u>7/10/07</u>

**Board Action Taken:**

Motion: _____	1) _____	Aye/Nay
	2) _____	_____
		_____
		_____
		_____

\_\_\_\_\_  
(Vote Recorded By)

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITIONS OF "RETAIL SALES" AND "SECONDHAND BUSINESS" TO DEFINE SPECIALTY USED GOODS SHOPS AS A RETAIL USE; AMENDING CHAPTER 18.04, USE DISTRICTS, SECTION 18.04.010, DISTRICTS ESTABLISHED, TO REPLACE THE DOWNTOWN COMMERCIAL DISTRICT WITH THE DOWNTOWN MIXED-USE DISTRICT; AMENDING SECTION 18.04.125, DOWNTOWN COMMERCIAL, TO MODIFY THE LIST OF PERMITTED AND CONDITIONAL USES FOR THE NEW DOWNTOWN MIXED-USE DISTRICT; AMENDING SECTION 18.04.195, NON-RESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, TO DELETE THE DOWNTOWN COMMERCIAL DISTRICT AND ADD STANDARDS FOR THE NEW DOWNTOWN MIXED-USE DISTRICT; AMENDING CHAPTER 18.07, DOWNTOWN BUSINESS DISTRICT, TO MODIFY THE PROCESS-ORIENTED STANDARDS FOR REVIEW OF DEVELOPMENT WITHIN THE NEW DOWNTOWN MIXED-USE DISTRICT; AMENDING CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 2, PARKING AND LOADING, SECTION 2.2, NUMBER OF SPACES REQUIRED, TO ADD SPECIFIC PARKING REQUIREMENTS FOR THE NEW DOWNTOWN MIXED-USE DISTRICT; AND AMENDING CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 6, DOWNTOWN BUSINESS DISTRICT, TO REPLACE THE EXISTING DOWNTOWN BUSINESS DISTRICT STANDARDS WITH STANDARDS FOR THE NEW DOWNTOWN MIXED-USE DISTRICT RELATING TO HEIGHT, PARKING, SETBACKS, SIGNS AND OTHER DESIGN REQUIREMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

The Board of Supervisors of Carson City, do ordain:

SECTION I:

That Chapter 18.03 (Definitions), Section 18.03.010 (Words and Terms Defined) of the Carson City Municipal Code is hereby amended, in part, to modify the definitions of "Retail Sales" and "Secondhand Business" to read as follows (**bold, underlined** text is added, stricken text is deleted):

18.03.010 Words and Terms Defined.

**Retail Sales** means an establishment engaged in selling goods or merchandise to the general public for personal or household consumption but not for wholesale and rendering services incidental to the sale of such goods. Typical merchandise includes clothing and other apparel, equipment for hobbies or sports, gifts, flowers and household plants, dry goods, groceries, convenience, specialty foods, toys, furniture, books, computers, stationery, hardware and similar consumer goods. The term also includes Secondhand Dealers but excludes Secondhand Businesses as defined in this title.

**Secondhand Business** means a business dealing in used merchandise or accepting donations of used merchandise for resale, but does not mean antiques, [or] junkyard, pawn shop [and includes] or secondhand dealers as otherwise defined in this title.

[Note: This definition is included for reference only; no modifications proposed]

**Secondhand Dealer** means a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles if no more than 40% of the gross floor area of the business is devoted to the sale of used articles. The term Secondhand Dealer includes the sale of jewelry and scrap precious metals, but does not include the sale of junk in junkyards as defined in this Chapter, the sale of used cars or the sale of other items which the City determines do not fit within the intent of this term. The term does not include the buying and selling of foreign or domestic coins for numismatic purposes, which shall be allowed where retail sales of new merchandise is permitted.

SECTION II:

That Chapter 18.04 (Use Districts), Section 18.04.010 (Districts Established) of the Carson City Municipal Code is hereby amended as follows to replace the Downtown Commercial (DC) district with the Downtown Mixed-Use District (**bold, underlined** text is added, stricken text is deleted):

**18.04.010 Districts Established.** In order to classify, regulate and restrict the use of land; the location use, bulk and height of structures; and to carry out the purposes of this title, land use districts are established as follows:

Overlay Zones are areas which may require additional review:

~~[Downtown Business District]~~

Historic District

Skyline Ordinance Area

**Single Family Residential**

Single Family - 5 Acre

Single Family - 2 Acre

Single Family - 1 Acre

Single Family - 21,000 square feet

**Abbreviated Designation**

SF5A

SF2A

SF1A

SF21

Single Family - 12,000 square feet	SF12
Single Family - 6,000 square feet	SF6
Mobilehome - 6,000 square feet	MH6
Mobilehome - 12,000 square feet	MH12
Mobilehome - 1 Acre	MH1A
Mobilehome Park	MHP
<b>Multi Family Residential</b>	
Multi Family Duplex	MFD
Multi Family Apartments	MFA
<b>Office</b>	
Residential Office	RO
General Office	GO
<b>Commercial</b>	
Neighborhood Business	NB
<del>Downtown Commercial</del>	<del>DC</del>
Retail Commercial	RC
General Commercial	GC
Tourist Commercial	TC
<b><u>Mixed-Use</u></b>	
<b><u>Downtown Mixed-Use</u></b>	<b><u>DT-MU</u></b>
<b>Industrial</b>	
Limited Industrial	LI
General Commercial	GI
Air Industrial Park	AIP
<b>Agricultural</b>	
	A
<b>Conservation Reserve</b>	
	CR
<b>Planned Unit Development</b>	
	PUD or -P
<b>Public</b>	
Public	P
Public Neighborhood	PN
Public Community	PC
Public Regional	PR

**SECTION III:**

That Chapter 18.04 (Use Districts), Section 18.04.125 (Downtown Commercial) of the Carson City Municipal Code is hereby amended as follows to replace the Downtown Commercial district with the new Downtown Mixed-Use district and modify the list of

permitted and conditional uses within the district (**bold, underlined** text is added, stricken text is deleted):

**18.04.125 [~~Downtown Commercial (DC)] Downtown Mixed-Use (DT-MU)~~**. The purpose of the [~~DC~~] **DT-MU** District is to preserve a [~~commercial~~] **mixed-use** district limited primarily to retail sales of new merchandise, office, **residential** and tourist related uses. All uses within the [~~DC~~] **DT-MU** District shall be conducted within a building except by approval of a Special Use Permit **or as otherwise permitted by this section or the DT-MU development standards**. [~~Provisions are made, however, for outside display and sale for temporary periods of time.~~]

1. The Primary Permitted Uses in the [~~DC~~] **DT-MU** District are this list, plus other uses of a similar nature:

- Accounting and Bookkeeping
- Alcoholic Beverage Sales (accessory to restaurant)
- Antiques, Retail
- Art Gallery
- Art Store
- Art Studio
- Artist, Commercial
- Astrology Parlor/Fortune Telling/Clairvoyance and Palmistry
- Bakery
- Bank
- Bar**
- Barber Shop
- Beauty Shop
- Bed and Breakfast Inn**
- Bible and Church Supplies
- Bicycle Shop, Retail (repair, accessory)
- Boarding and Rooming House**
- Body Apparel Shop
- Bookstore
- Brew Pub
- Cameras and Film, Retail (photo finishing, accessory)
- Candy and Confectionary, Retail
- Caterer**
- Ceramic Products
- Christmas Tree Sales
- Church**
- Clock, Retail and Repair
- Clothing Sales/Dress Shop
- Club, Supper and Amusement
- Coffee Shop
- Coin Store
- Community/Regional Commercial or Office Center**
- Candy and Confectionary, Retail
- Computer Sales and Repair
- Costumes, Party and Wedding Supplies and Rental

Delicatessen  
 Delivery Service  
 Department Store  
 Detective or Private Investigation Agency  
 Draperies, Blinds and Window Coverings  
 Drugstore and Pharmacy  
 Dry Goods Store  
 Electrical Appliances, Retail  
 Embroidery Shop  
**Farmers Market**  
 Florist  
 Fraternal Association  
 Furs and Leather Goods  
 Gallery  
 Gaming (limited)  
 Gift Shop and Souvenirs  
**Health and Fitness Club**  
 Health Food Products, Retail  
 Herbs, Retail  
 Hobbies and Crafts, Retail  
**Hotel**  
 Ice Cream Parlor  
**Information Kiosk**  
 Interior Decorator  
 Jewelry Store, Retail  
 Juice Bar  
 Knit Shop  
 Library  
 Liquor and Alcoholic Beverages, Retail  
 Locksmith  
 Magazine Sales  
 Mail Services, Parcel Post, Postboxes  
 Massage Therapy  
 Museum  
 Music Store  
 Office  
 Open Space  
 Optician  
 Perfumery  
 Park  
**Personal Services**  
 Photographer's Studio  
 Photographic Finishing, Supplies and Picture Framing  
**Public Safety Facilities (police or fire substation or dispatch; no jail facilities)**  
 Radio, Stereo Store  
 Residential (**Single-Family, Duplex and Multi Family Dwellings**)  
 Restaurant (**with or without outdoor seating; no drive-through**)  
**Retail Sales**  
 Rubber and Metal Stamp, Retail (shop accessory)

Sewing Machine, Retail and Repair  
Shoe Repair  
Shoe Store  
Shoeshine Stand  
Sporting Goods Store  
Stained Glass  
Stationery Store

**Street Vendor (subject to Development Standards)**

Tailoring  
Taxi Cab Stand  
Tea House  
Telephone Sales  
Temporary Outdoor Display and Sales subject to Title 18 (Outdoor Sales and Activities)  
Theater  
Toys, Retail

**Transit Passenger Facility**

**Veterinary Clinic**

Watch Repair  
Wedding Chapel

~~[2. Accessory uses that require a primary permitted use existing prior to the establishment of an accessory use.]~~

~~[Residential (Single Family Dwelling and Two Family Dwelling)]~~

[3] ~~2.~~ The Conditional Uses in the [DE] **DT-MU** District which require approval of a Special Use Permit are:

Amusement Arcade  
Amusement Devices, Sales and Service  
Automobile Service Station (no repair) (convenience market accessory)  
[Bar]  
[Bed and Breakfast Inn (only within the Historic District and subject to the provisions of Title 18 (Bed & Breakfast Inns))]  
[Blueprint and Photocopy Services]  
[Boarding and Rooming House]  
[Carpet and Floor Covering, Retail]  
[Caterer]  
Child Care Facility  
[Church]  
[Community/Regional Commercial or Office Center]  
[Dry Cleaning]  
Equipment Rental (within a building)  
[Factory Outlet Store]  
[Farmers Market]  
[Furniture and Home Furnishings, Office and Home (including Rental)]  
Gaming (unlimited)  
[Garden Supplies]  
[Gun Store]  
[Gunsmith]



- ~~[Health and Fitness Club]~~
- ~~[Hotel]~~
- Hotel, Residence
- ~~[Janitorial and Building Cleaning Service]~~
- ~~[Lapidary Service]~~
- Mail Order House
- Motel
- Municipal Well Facility
- ~~[Office Supplies]~~
- Outside Storage (accessory to a primary use)**
- ~~[Pet Grooming]~~
- ~~[Pet Shop]~~
- Public Parking Lot and Parking Garage (not accessory to a primary use)**
- ~~[Radio Studio (no antennas)]~~
- Restaurant with drive-through**
- School, College or University and Vocational
- ~~[Stamp Shop]~~
- ~~[Street Vendors are limited to the DC and RC zoning districts subject to Division 1 and 1.11 of the Development Standards]~~
- ~~[Television Repair Shop]~~
- Utility Substation
- ~~[Veterinary Clinic]~~

**SECTION IV:**

That Chapter 18.04 (Use Districts), Section 18.04.195 (Non-Residential Districts Intensity and Dimensional Standards) of the Carson City Municipal Code is hereby amended, in part, as follows to delete the Downtown Commercial district and add standards for the new Downtown Mixed-Use district (**bold, underlined** text is added, stricken text is deleted):

Zoning Districts	Site Development Standards							
					Minimum Setbacks (Feet)			
	Minimum Area <sup>13</sup> (SF or AC)	Minimum Lot Width (Feet)	Maximum Lot Depth (Feet)	Maximum Height (Feet)	Front	Side	Street Side	Rear
<del>[DC]</del> <b><u>DT-MU</u></b>	6,000 SF	50	N/A	<del>[45-<sup>13</sup>]</del> <b><u>(2)</u></b>	<del>0<sup>13,19,2</sup></del>	0 <sup>9,2</sup>	<del>0<sup>13,19,2</sup></del>	0 <sup>13,19,2</sup>

**Additional Requirements or Allowances:**

- 1 Additional height allowed by Special Use Permit.
- 2 ~~[In accordance with the restrictions outlined in the Downtown Master Plan Element for building heights of structures located within 500 feet of the State Capitol.]~~ **Subject to the Development Standards Division 6, Downtown Mixed-Use District.**
- 3 Building height, building setbacks, minimum area, minimum lot width and maximum lot depth to be determined by Special Use Permit.
- 4 For each main structure.

- 5 Side setback may be waived if two adjacent structures are connected by a parapet fire wall.
- 6 Rear yard shall be increased by 10 feet for each story above two stories. Where the rear yard abuts a commercial district, the setback is zero feet.
- 7 Adjacent to Residential District 30 feet is required. Corner lots require setback for sight distance.
- 8 Business Arterial landscape setback requirement = 10 feet (average)
- 9 Adjacent to Residential District, 10 feet required. Corner lots require setback for sight distance.
- 10 Fifty feet adjacent to Residential District.
- 11 If adjacent to Limited Industrial (LI) District, side and rear yard setbacks may be reduced to zero subject to applicable building and fire codes.
- 12 Fifty-four feet minimum street frontage at the end of a cul-de-sac
- 13 Except in the CR, A, P, PN, PC and PR zoning districts, minimum area includes all common areas, parking, landscaping and building areas associated with a project for the purposes of creating building envelopes or condominium units where common access is provided to the project site. Minimum Lot Width (Feet) and Maximum Lot Depth (Feet) requirements may be waived.
- 14 An additional 10 feet is required for each story above two stories.
- 15 An additional 5 feet is required for each story above two stories.

#### SECTION V:

That Chapter 18.07 (Downtown Business District) of the Carson City Municipal Code is hereby amended as follows to replace the Downtown Business District with the new Downtown Mixed-Use district and modify the process-oriented standards for review of projects within the Downtown Mixed-Use district (**bold, underlined** text is added, stricken text is deleted):

**18.07.005 Title and Purpose.** This Chapter shall be known as the "Downtown [~~Business~~] **Mixed-Use** District." It is hereby declared as a matter of public policy that recognition, preservation, protection and use of culturally significant structures, natural features, sites and landmarks within downtown Carson City are required in the interest of the health, safety, prosperity, social and cultural enrichment, and general welfare of Carson City residents. The purpose of the Downtown [~~Business~~] **Mixed-Use** District is to:

1. Safeguard the heritage of the city by preserving neighborhoods, structures, sites and features which reflect elements of the city's cultural, architectural, artistic, aesthetic, political, natural and engineering heritage.
2. Enhance property values and increase economic and financial benefits to the city and its inhabitants.
3. [~~Strengthen civic pride and a sense of identity based on the recognition and use of the historic downtown.~~] **Allow for and encourage a broader mix of uses and a more urban pattern of development while respecting its historic context and creating a vibrant, pedestrian-friendly environment.**

4. ~~[Promote the private and public enjoyment, use and preservation of culturally significant and economically viable structures and sites appropriate for the education, commerce and recreation of the citizens of Carson City and the visitors to the city.] **Establish clear, quantitative standards to ensure that future development that occurs within Downtown is consistent with the community's vision as expressed by the policies contained within the City's Master Plan.**~~
5. Enhance the visual and aesthetic appeal of the city.
- ~~[6. Encourage public knowledge, understanding and appreciation of the city's past through economic revitalization programs.]~~
- [7] **6.** Assure that new construction, restoration and rehabilitation projects are compatible with the character of the district.
- ~~[8. Identify and resolve conflicts between preservation of historic and cultural resources and alternative land uses.]~~

**18.07.010 Applicability of Chapter.** Process-oriented standards are contained in this Section. Design-oriented standards are contained in the Development Standards which is parallel in authority to this Section. **These design standards and guidelines shall apply to all new development, infill, redevelopment, building additions, signs, exterior modifications and major renovation projects occurring within the DT-MU district, except as provided in section 18.07.015, Exemptions. If a conflict should arise between the DT-MU District and other sections of the Municipal Code as applied to a particular development, the requirements set forth in the DT-MU District shall prevail.**

- ~~[1. A person shall do no proposed work and the city shall not issue any building or demolition permits for proposed work until an application has been filed with the Office of the Director unless exempted by this Chapter.~~
- ~~2. The Director may exempt a project for proposed work from review by the Hearing Examiner, if such project only involves ordinary maintenance or the replacement of similar or identical materials of a building or structure. Proposed work must be consistent with design guidelines authorized by this Chapter.~~
- ~~3. Projects involving only work, maintenance or repairs to the interior of building or structure and which do not affect exterior appearances are exempt from this Chapter.~~
- ~~4. Parcels, property, buildings or structures presently designated within Carson City's historic district due to their classification as national register properties or national register eligible properties and which are subject to review by the HRC are exempt from this Chapter.]~~

**[18.07.015 Hearing Examiner]**

- ~~1. There is hereby created the office of Hearing Examiner. The Hearing Examiner is entitled to no additional compensation for the Hearing Examiner duties.~~
- ~~2. The Hearing Examiner has the following powers and duties:
  - ~~a. Study, review, approve, disapprove or approve with conditions applications for all proposed work at hearings.~~
  - ~~b. Recommend to the Board prescriptive and performance standards to be used in reviewing applications for permits to construct, change, alter, modify, remodel, remove or significantly affect any structure or site located on parcels which are in whole or in part within the district.~~
  - ~~c. The hearings conducted by the Hearing Examiner must be at meetings for which notice is given in accordance with the state open meeting law contained in NRS. The Director shall cause notice of a hearing of the Hearing Examiner to be sent by United States mail to the applicant. An audio recording of the hearing must be made and copies of the tapes available to the public.]~~~~

**18.07.015 Exemptions. Exemptions to the regulations contained in this chapter and the development standards may apply as follows:**

- 1. Projects involving only work, maintenance or repairs to the interior of a building or structure and that do not affect exterior appearances are exempt from this Chapter.**
- 2. Projects involving only ordinary maintenance or the replacement of similar or identical materials of an existing building or structure are exempt from this Chapter.**
- 3. Parcels, property or structures located within the Historic District and subject to review by the Historic Resource Commission are exempt from the design-oriented elements of the Downtown Development Standards.**

~~[18.07.020 Applications for Proposed Work. An application for proposed work must be submitted to the Redevelopment Manager and must include any plans, specifications, drawings and information as may be required by the forms. Professional quality plans, renderings or materials are not required, but the Hearing Examiner may require additional or clarifying information.]~~

**18.07.020 Review Process.**

- 1. Plans for projects within the DT-MU zoning district shall be reviewed by the Director upon submittal of an application for building permits.**
- 2. A Major Project Review is required prior to submitting for a building permit pursuant to Section 18.02.100 (Major Project Review) for projects with building area greater than 50,000 square feet.**

- 3. Alternative compliance. Upon request of an applicant for a Special Use Permit, the Planning Commission may approve an alternative approach that may be substituted in whole or in part for a plan not meeting one or more of the development standards contained in Division 6 (Downtown Mixed-Use District) of the Development Standards. This approach is intended to provide flexibility to meet the development standards and shall apply in circumstances in which an alternative approach would provide a result that is equal to or superior to that which would be provided by the standards in this ordinance. It is not intended as a substitute for a variance when relief from a particular standard is desired. Economic considerations shall not be a basis for alternative compliance.**

~~[18.07.025 Decisions and Findings on Applications.]~~

- ~~1. The Hearing Examiner shall hold a hearing not later than 30 days after the filing of a complete application for proposed work. In the absence of such action the application is deemed approved.~~
- ~~2. For a building or structure in the district which is designated "significant" in the Carson City Cultural Resource Survey or which is over 50 years old, the Hearing Examiner shall make his or her decisions and recommendations on applications for proposed work based upon the guidelines established by the most current edition of the U.S. Department of Interior publication entitled "Secretary of Interior Standards for Rehabilitation," as amended or modified by the Board by resolution. For all other buildings or structures in the district, the Hearing Examiner shall make its decisions and recommendations on applications for proposed work based upon the design guidelines approved and amended by the Board by resolution.~~
- ~~3. No later than 5 days after a hearing on an application for proposed work the Hearing Examiner shall reduce the recommendations and decisions to writing and shall include in the decision a concise and explicit statement of the underlying facts as determined from the evidence. The Hearing Examiner is required to make the following findings in reviewing, approving, disapproving or conditionally approving an application for proposed work:
  - ~~a. The proposed work shall not detrimentally alter, destroy or adversely affect the resource and is compatible with the architectural style of the existing structure and shall retain essential elements which make a structure, site or feature culturally significant.~~
  - ~~b. The proposed work does not adversely affect the character of the district or cultural resources within the district.~~
  - ~~c. The following elements of the proposed work are harmonious with existing surroundings: appropriateness of materials, scale, size, height, placement of a new building or structure in relationship to existing buildings and structures and the surrounding setting.~~~~

4. ~~An item before the Hearing Examiner may be continued at the applicant's request.~~
5. ~~No proposed work which is approved by the Hearing Examiner may begin for ten (10) days following the decision of the Hearing Examiner to allow for appeals, nor shall any proposed work begin during the pendency of an appeal.]~~

**18.07.025 Conditional Use Criteria. For uses or alternative compliance to the DT-MU standards requiring a Special Use Permit, in addition to the findings listed in Section 18.02.080 of the Carson City Municipal Code, findings from a preponderance of evidence must be submitted by the applicant and affirmed by the Planning Commission showing that the proposed use:**

1. **Is consistent and compatible with the character and intent for the Downtown Character Area, as identified in the Development Standards, in which it is proposed;**
2. **Incorporates or can be incorporated as part of a broader mix of uses to support an active "people-oriented" environment within the Downtown; and**
3. **Can be integrated into the more urban development pattern in a manner that is consistent with Master Plan policies for Downtown.**

**18.07.030 Requirements for Significant Structures and Structures Over Fifty (50) Years Old.**

1. In addition to the other requirements of this Chapter, any demolition, removal or relocation of a building or structure in the district which is designated "significant" in the Carson City Cultural Resource Survey or which is over fifty (50) years old may begin only after approval by the [~~Hearing Examiner~~] **Director** of plans for a replacement building or site improvement.
2. An application for demolition or removal of a structure classified as significant or which is [~~fifty (50)~~] years old or greater shall not be approved unless the [~~Hearing Examiner~~] **Director** finds that one [~~(1)~~] or more of the following conditions exist:
  - a. The structure or site is a hazard to public health or safety and repairs and stabilization are not physically possible;
  - b. The site is required for public use which shall be of more benefit to the public than the cultural resource and there is not a feasible alternative location for the public use;
  - c. It is not feasible to preserve or restore the structure, taking into consideration the economic feasibility of alternatives to the proposal and the proposed replacement structure does not detract from the neighborhood; or

- d. Reconstruction or restoration is not physically or economically feasible and there has not been a documented history of neglect and lack of repairs which has resulted in this condition.

3. For a building or structure which is designated "significant" in the Carson City Cultural Resource Survey or which is over 50 years old, the Director shall make his or her decisions and recommendations on applications for proposed work based upon the guidelines established by the most current edition of the U.S. Department of Interior publication entitled "Secretary of Interior Standards for Rehabilitation," as amended or modified by the Board by resolution.

**18.07.035 Requirements for Improvements in Public Space.** Public improvements and private improvements on any real property of Carson City in the **DT-MU** district, including without limitation streets, sidewalks and curbs, must conform with design guidelines of this Chapter **and the Downtown Streetscape Plan.** ~~[and must be approved by the Hearing Examiner and the Carson City Redevelopment Authority. Maintenance of improvements within public spaces, including without limitation benches and planters, is the financial responsibility of the Carson City Redevelopment Authority.]~~

**18.07.040 Appeals.** Appeals of final decision ~~[of the Hearing Examiner or]~~ concerning this Chapter shall be in accordance with Title 18 (Appeals).

## SECTION VI:

That Chapter 18.16 (Development Standards), Division 2 (Parking and Loading), Section 2.2 (Number of Spaces Required) of the Carson City Municipal Code is hereby amended, as follows to add specific parking requirements for the Downtown Mixed-Use district (**bold, underlined** text is added, stricken text is deleted):

### **2.2 Number of Spaces Required.**

The minimum number of off-street parking spaces for each use is set forth in the following subsections. If there are a number of uses on a single parcel, the parking for each individual use is calculated and the total required is the sum of the separate individual requirements, except as provided in subsection G of this section. If a garage is counted as required parking, the driveway access to the garage shall not then be counted as required parking. If an accredited source (e.g Institute of Transportation Engineers (ITE)) provides an acceptable alternative to a parking standards in this Division, the Director may consider an alternative.

These parking requirements are mandatory for the various buildings and uses irrespective of the zoning districts in which they occur, except **as otherwise noted in this section.** ~~[existing uses within existing buildings in the downtown area shall be exempted from said requirements. When higher occupancy uses are developed within existing downtown buildings, the following parking ratios shall apply. Within the Downtown Business District of the Redevelopment District, properties may be given~~

~~parking waivers for new uses by the Redevelopment Authority Citizens Committee. Parking waivers may only be granted for the first 50 required parking spaces. As individual redevelopment district properties are added to the Downtown Business District, they shall be eligible to apply for parking waiver consideration.]~~

**A. Residential Uses.**

All single-family, two-family, and multiple family residential dwellings

Two spaces per dwelling unit.\*

Rooming or boarding house, fraternity or other residential group dwelling

One parking space for each bedroom plus one space for each staff member on the largest shift.

Senior citizen housing developments

One space per unit plus one parking space per five units classified and signed as guest parking.

\* In developments where internal or abutting public streets are reduced to less than the standard street width thereby prohibiting on-street parking, one additional off-street parking space per two units shall be designated and shall be signed as guest parking within 300 feet, measured by walking distance, of the units which they serve.

**B. Institutional Uses.**

Child care centers and preschools

One space for each employee plus a permanently maintained loading/unloading area installed in accordance with Engineering standards.

Churches and funeral homes

One space for each three fixed seats or every 10 feet of bench length. Where no permanent seats or benches are maintained, one space for every 20 square feet of principal assembly area.

Commercial or business schools

One space for each 150 square feet of classroom area.

Congregate Care Housing/Senior Citizen Home

One space for each five beds plus one space per three employees

Elementary and junior high schools

One and one-half spaces for each employee or faculty member plus one space for every 20 square feet of seating area in auditorium or assembly area.



High schools and colleges	Two spaces for every three employees or faculty members plus one space for every four students.
Hospitals	To be determined with Master Plan or per ITE.
Libraries, museums and art galleries	One space for each 400 square feet of gross floor area.
<b>C. Commercial Uses.</b>	
Amusement parks	One space for each 500 square feet of park area.
Art galleries	One space for each 300 square feet of gross floor area.
Automobile, boat, recreational vehicle or small machinery garages, nurseries and garden supply, building material yards	One space for each 500 square feet of gross floor area plus one space for each 2,000 square feet of outdoor display or service area.
Auto service stations	Two spaces per bay plus one space for each employee.
Banks, post offices	One space for each 250 square feet of gross floor area. Drive-up windows shall have at least 80 lineal feet of driveway per window.
Barber and beauty shops or schools, manicure shop	One space for each 100 square feet of gross floor area.
Business and professional offices	One space for each 325 square feet of gross floor area. If the office space utilizes partitions rather than separate spaces or rooms, then one space for each 200 square feet of gross floor area.
Clinics, psychologist, medical offices, medical laboratories, medical uses	One space for each 200 square feet of gross floor area.
Commercial recreation, indoor, health club, roller or ice skating rink, bowling, racquetball or similar facilities (except as otherwise provided)	One space for each 150 square feet of gross floor area.

Dance halls, assembly halls  
and sports arenas, bars with  
live entertainment, nightclubs

One space for each four fixed seats.  
Where no fixed seats are provided,  
one space for each 150 square feet  
of floor area used for assembly or  
dancing.

Flea markets

One space for each 200 square feet  
of gross floor and display area.

Furniture and large appliance  
stores or repair shops,  
carpet shops and similar  
uses which handle only  
bulky merchandise

One space for each 600 square feet  
of gross floor area.

Gaming

One space for each 150 square feet of  
gross floor area.

Hotels, motels

One space for each guest room; one  
guest space for every 10 rooms; one  
space for each employee of the largest  
shift.

Launderettes

One space for each five washing  
machines.

Restaurants, bars, brew  
pubs, tea houses

One space for each four seats. Fast  
food restaurants shall provide one  
space for each 100 square feet of  
gross floor area and one space for  
every two employees. Drive-thru  
restaurants shall provide at least 80  
lineal feet of driveway per window.

Retail stores, secondhand shops,  
grocery stores, repair shops,  
etc., except as otherwise  
specified herein

One space for each 300 square feet of  
gross floor area.

Shopping center

One space for each 250 square feet of  
gross floor area.

Theaters

One space for each four seats.

Veterinarian, dog grooming

One space per each 250 square feet  
of gross floor area.

**D. Industrial Uses.**

Warehouse, storage building, wholesale operations	One space for each 1,000 square feet of gross floor area plus one space for each employee.
Manufacturing plant	One space for each 500 square feet of gross floor area.
Laboratories and research facilities (non-medical)	One space for each 400 square feet of gross floor area.
Large machinery and equipment rental or sales	One space for each 600 square feet of gross floor area.

**E. Other Uses.** Off-street parking requirements for uses not herein specified shall be determined by the Director.

**F. Determination by the Director.** Upon submittal of accredited documentation (e.g. latest version of ITE Parking Manual); the Director may modify the parking requirements specified herein, or may request Commission approval of such a modification.

**G. Handicapped Parking.** The number of handicapped parking spaces provided shall be as required by the Building Code currently adopted by Carson City and ADA/ANSI standards.

**H. Joint Uses and Ancillary Uses.**

1. Where adjoining parcel owners wish to cooperate in the establishment and operation of joint parking facilities in situations where the maximum parking demands are generated at different times by the established uses, application may be made to the Director to combine facilities and to thereby reduce the total number of off-street parking spaces required.
2. Where a motel or hotel use includes ancillary restaurant, bar, gaming and convention facility uses, application may be made to the Director to reduce the off-street parking space requirement up to a maximum of 30% of the off-street parking required for ancillary uses only.

**I. Downtown Mixed-Use District.** Parking requirements for projects within the Downtown Mixed-Use zoning district shall be established by the requirements of Division 6 (Downtown Mixed-Use District) of the Development Standards and shall supersede the parking requirements above.

**SECTION VII:**

That Chapter 18.16 (Development Standards), Division 6 (Downtown Business District) of the Carson City Municipal Code is hereby deleted in its entirety, as follows, and replaced with a new Division 6, Downtown Mixed-Use District, as included as Exhibit A:

**[Division 6 Downtown Business District**

**Table of Contents**

6.1 Design Guidelines.....page 1

**6.1 Design Guidelines:**

~~The Hearing Examiner designated pursuant to Carson City Municipal Code (CCMC) 18.07 (Downtown Business District) shall consider the following guidelines in the review of proposed work in the Downtown Design Guidelines District.~~

**6.1.1 Guidelines for Proposed Work:**

~~a. Acceptable Materials. The Hearing Examiner shall review acceptable materials for construction, such as: native stone, stucco, masonry, metal and glazing; appropriate architectural character, scale, and detail for new construction; acceptable appurtenances to new and existing structures such as gables, parapets, balconies, and dormers. Replacement parts shall blend in with existing ones; they shall not call attention to themselves. Missing or damaged architectural features that are to be replaced shall blend with the building fabric and duplicate the old or match it as closely as possible. However, these new materials shall not be antiqued or made to look old when they are not. Retention of original historic fabric is encouraged over replacement. When replacement is required, attention must be given to matching the building's original window treatment as closely as possible. If a larger architectural element calls for replacement, such as the storefront itself, a complete design plan shall be developed of the entire building taking into account all elements of the building that will not be replaced. One approach would be to reconstruct all of the parts that have been severely damaged or removed, restoring the building to its appearance at some previous point in time. The proposed work might follow the general form and scale of that which previously existed, but may differ in detail and perhaps in materials; or the project may center on a distinctly different design which compliments the older building elements, but that has its own qualities of expression. The approach chosen would depend upon the project budget and the purposes for which the rehabilitation is to serve and adjacent buildings and surrounding streetscape must all be considered in the final approval.~~

~~b. Acceptable Textures. The Hearing Examiner shall review acceptable textures and ornamentations such as: paint, colors, and types; use of wood;~~

stone, metal, plaster, plastics, and other manmade materials; use of shutters, wrought and cast iron, finishes of metal, colors of glass, such as silver, gold, bronze, smoke, and other details or architectural ornamentation.

- ~~c. Acceptable Accessories. The Hearing Examiner shall review acceptable accessories on new or existing structures, such as light fixtures, gas lights, canopies, exterior carpentry, awnings, tile or wood, and projections.~~
- ~~d. Storefront Buildings. Storefront buildings with large display windows on the ground floor and one or more stories above shall be encouraged for retention and improvement. Recessed entryways from the public sidewalk shall not be removed or modified. Covering building facades with metal slipcovers or other materials shall not be allowed. Signs or other appurtenances shall not cover windows, doorways, cornices, parapets, or other trims or moldings which give the building its unique architectural character.~~
- ~~e. Height and Width. The proportions of most buildings in downtown Carson City are relatively constant. Wide buildings are divided into separate bays, reinforcing the overall proportions of the streetscape. This synergy shall not be artificially altered by such means as covering two store fronts to attempt an appearance of one building where two actually exist. Similarly, adding false fronts, whether in the form of a sign or other material to add the appearance of a second or third story, shall not be encouraged where none actually exist.~~
- ~~f. Setback. Almost all downtown buildings are set flush with the sidewalk, not set back from it. If, through alteration or new construction, this is to be modified, consideration shall be given to street furniture and landscaping to fill the space so as not to leave a dead area in the middle of a consistent row of flush buildings. Where buildings front on two streets, an offset to the rear would be encouraged to provide outdoor seating or other outdoor uses which relate to the streetscape.~~
- ~~g. Color. While color choices in downtown buildings differ considerably depending upon the materials used, color throughout the commercial area shall be compatible. For instance, if the buildings in an area are primarily muted earth tones, a bright red or purple building would not be sympathetic. A better choice would be another earth tone. Colors of paint and building materials shall be approved by the Hearing Examiner and consideration shall be given not only for the particular building, but also to adjacent buildings and to the effect the colors and materials will have on the streetscape in general.~~
- ~~h. Proportions of Door and Window Openings. Although proportion of door and window openings throughout the downtown area vary somewhat, consideration will be given to retaining existing horizontal relationships~~

between upper story windows and doors along a specific block. This is especially true in buildings of fifty (50) years of age or older.

- ~~i. Roof Shape or Profile. Roof profiles are generally consistent throughout downtown Carson City. Most commercial buildings of fifty (50) years of age or older have flat roofs with parapets. Some parapets are pitched to give buildings some interest and shall be encouraged in new construction or alterations. A building that is incongruous with its neighbors in roof profile proportion can have a significant negative impact on the overall appearance of the entire block.~~
- ~~j. Screening of Equipment and Trash Collection. Mechanical equipment such as heating and air conditioning devices must be screened from public view, whether placed on rooftops or placed in back alleys or other areas which can be seen from pedestrian or public right-of-ways. Consideration shall also be given to roof-mounted equipment, not only being screened behind parapets from the streetscape, but also from buildings which may have observation areas above that of the subject building. Historically, buildings in downtown Carson City have been built with relatively flat roofs with parapets required for fire protection. These parapets can provide a partial screening for these devices, but further consideration will be required for full screening. Trash collection areas shall be screened from view with masonry or solid wood fences or other devices which restrict view from public right-of-ways and which are architecturally compatible with the building they serve.~~
- ~~k. Exterior Lighting. Exterior lighting of any type must be approved by the Planning and Community Development Department staff, or it can be incorporated into the review of the total project by the Hearing Examiner. Lights attached to, adjacent to, or within signs for the purpose of illuminating the signs, shall be governed by the downtown sign ordinance procedures. In all cases, the impact of lights on streetscape, interference with gas light district, pedestrians and motorists shall be considered. Type of light: incandescent, sodium vapor, mercury vapor, fluorescent, flood or gas lamp and their varying hues (color, intensity) shall also be a consideration as it relates to adjacent improvements and the overall light projected into public spaces. For example, a sodium vapor light in close proximity to a gas lamp creates a hue developed by the two distinct colors which equals a third. This may not be a desirable effect. Actions may be available which would mitigate this, such as shielding of a sodium vapor security light on the wall of a building which lights an exit that is adjacent to a sidewalk gas lamp. Shielding is a long standing practice of utility companies to restrict security light to private yards and not glaring onto adjacent properties. Projects adjacent to the city's gas lamps shall be encouraged through design to provide light standards that are compatible with the design of the gas lamps, even though the source of light may be electric.~~

#### ~~6.1.2 Inappropriate Alterations or Construction.~~

~~Disguising deferred maintenance or outright neglect of structures is discouraged. Common inappropriate alterations include:~~

~~a. False Historical Themes. Remodeling with unauthentic false historical details, trims, and moldings creates a confusing historical context for the community. Often these approaches are more costly and the result of a short-lived fad than is accurate rehabilitation with appropriate materials. Light gauge metal or steel panels have been used to make two or more buildings appear to be one massive structure. This unimaginative, yet quick and inexpensive approach at building upgrading is often easily removed and the original architectural features still in place beneath. Upper story windows, doors, cornices, and other trim materials which were removed to accommodate metal panels shall be researched and replaced in the rehabilitation process.~~

~~b. Ground Floor and Upper Facade. Treating ground floor store fronts and upper stories as two (2) separate buildings results in several inappropriate design features. Because upper stories in many cases are underutilized, doors and windows of these upper stories have often been covered with flat or projecting signs or other materials and have thus lost their balanced relationship with the storefront. Removing all such inappropriate features and returning to the original facade whenever possible is encouraged.~~

~~c. Filling in Display Windows, Transom Windows, and Doors. The use of slipcovers and oversized signs creates a loss of balance between the storefronts and upper facade spaces on many buildings. This shall be discouraged on future modifications and shall be remedied when possible. Similarly, the balance between display window, transoms, and upper floor windows shall be maintained and not boarded up or filled in. **Assistance may be available through the Planning and Community Development Department and Carson City Mainstreet in providing window displays.** Transom windows which were covered over when suspended acoustical tiled ceilings were installed, or for other reasons, shall be uncovered through rehabilitation projects. Upper floor windows, ground floor or upper floor doors, which were often sealed due to combining of storefronts, shall be exposed and put back into use whenever possible. Commercial Carson City buildings, especially those of durable masonry construction, historically have not been painted Victorian or other elaborate colors. However, using one paint color for the building and another or several for architectural trim, shall be encouraged as this brings out the detail of architectural features, windows, doors, and cornices.~~

~~d. Appropriate Materials. Replication of materials to those of historic buildings is not necessarily the direction which shall be taken on all new construction projects. More important is compatibility in texture, scale, and color with those already found in the surrounding area. Native stone and masonry shall be retained on existing buildings and encouraged for new construction when possible. Compatibility of new materials and their design of new~~

~~construction is the goal of the Downtown Design Guidelines Review Committee.~~

### ~~6.1.3 Cleaning.~~

~~A myriad of cleaning techniques are available, but some can be very damaging depending upon the material to be cleaned.~~

~~a. Abrasive Cleaning. Abrasive cleaning techniques such as sandblasting shall never be used on the exterior of buildings. Such cleaning methods cut into the building causing irreversible damage. The outer baked surface on a brick for instance, known as patina, protects a much softer interior. When sandblasted, the hard outer surface disappears, exposing the much softer masonry inside to moisture and wind damage. Several of Carson City's downtown buildings that were sandblasted several years ago now are rapidly deteriorating. Sandblasting has a similar effect on wood and stone. Sandblasted buildings that have not severely deteriorated shall be painted to slow the process. Care must be taken to avoid varnishes, enamels, polyurethane sealants and other products impervious to moisture penetration. Sealants will lock moisture inside the masonry and prevent evaporation ultimately causing severe moisture damage.~~

~~b. Water Washing. In the majority of cases, a gentle water wash is the most appropriate and least damaging way to clean a building. Water pressure shall be below two-hundred (200) pounds per square inch and used in combination with a natural bristle brush, never metal, to gently scrub the surface of the building. If necessary, a mild detergent can be used but must be thoroughly rinsed.~~

~~c. Chemical Cleaners. For heavy grime or layers of paint, a chemical cleaner may be necessary. Alkaline or acidic cleaners are available. The masonry shall first be moistened to soften dirt and a chemical paint remover applied. This shall remain on the surface for a period of time before it is rinsed off with water and sometimes a neutralizer. Repeat this process several times to remove built-up paint or dirt. Before using chemical cleaners, consult with someone knowledgeable, since using the wrong chemical can damage the building material. Also, be sure the area surrounding the building is well protected and that adequate drainage is available. Thoroughly cover any architectural features that will not be treated with the chemical. Metal cornices, for instance, can be eroded by some types of chemicals that cause an electrolytic reaction. Chemical cleaning shall always be done by experienced professionals. The Planning and Community Development Department can be consulted for professionals in this field. A steam cleaning process may also be appropriate for certain building materials. Whether water, steam, or chemical cleaner is used, always clean a test patch area first to judge the reaction. An area two (2) or three (3) feet square which is not visible from a public right-of-way is best to use as a test. Allow this area, after testing, to dry thoroughly then reexamine closely for any signs of damage. Inspect for possible damage to mortar joints and any~~



~~residue on the wall surface caused by the cleaning process. Examine bricks closely to see if the edges are rounder than they were or if the surface feels flaky. Some masonry surfaces may be too soft to be cleaned and painting may be the only alternative.~~

- ~~d. Rust Stains. Rust stains caused by rusting metal anchors can often be removed by applying a poultice mixed with an appropriate chemical to the stained area, letting the poultice dry, brushing it off and cleaning the area. Poultices may require several applications to remove the entire stain. Poultices shall be prepared by an experienced building cleaner who knows the proper mixture of chemicals for the type of metal and stain present.~~

#### ~~6.1.4 Removal and Replacement:~~

~~Removal of materials or structures including oversized signs, windows or door coverings, or metal slipcovers shall not take place until the following steps are followed:~~

- ~~a. Inventory and photograph or draw accurate elevations of the elements to be removed.~~
- ~~b. Examine each element and determine how it is attached and anchored to the building. If possible, remove a small portion of a slipcover to determine how the rest is anchored.~~
- ~~c. Create a plan for repair of original material that was damaged when alterations were made; drilled holes for anchor bolts, lost or damaged decorative elements, accumulated dirt and rust stains are the most common types of damage.~~

~~(1) For drilled holes into mortar joints, analyze the type of mortar and make sure the match in composition is adequate and the color consistent.~~

~~(2) For holes in brick or masonry, the patch can be made by grinding up similar masonry, mixing it with an epoxy and filling the hole; or the hole can be plugged by filling it with epoxy and with a solid pug cut from matching masonry.~~

~~(3) If a decorative element such as a cornice or trim around a window was removed or altered to accommodate a slipcover fitting flat against the facade, it may require replication by a skilled artisan or replacement with a simpler element. The Planning and Community Development Department has catalogs of companies that specialize in replicating historic building architectural details. If the original element is lost and no photo documentation is present, it is recommended to substitute with a more conservative design replacement than try to invent a period design.]~~

**SECTION VIII:**

That no other provisions of Title 18 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on \_\_\_\_\_, 2007.

PROPOSED BY Supervisor \_\_\_\_\_

PASSED \_\_\_\_\_, 2007.

VOTE: AYES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS:

\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_  
\_\_\_\_\_

MARV TEIXEIRA, Mayor

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of the month of \_\_\_\_\_ of the year 2007.

**Division 6  
Downtown Mixed-Use District**

**Development Standards**

**Carson City  
Nevada**

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### **6.1 Purpose**

The purpose of these Development Standards is to establish the design-oriented standards for the Downtown Mixed-Use district pursuant to the purposes stated in Title 18, Chapter 18.07, Downtown Mixed-Use District.

### **6.2 Applicability**

These design standards and guidelines shall apply to all new development, infill, redevelopment, signs, exterior modifications and major renovation projects occurring within the DT-MU district, except as provided in subsection 6.3, Exemptions, or as otherwise noted within individual sections of this division. If a conflict should arise between the DT-MU District and other sections of the Municipal Code (as applied to a particular development), the requirements set forth in the DT-MU District shall prevail.

### **6.3 Exemptions**

Exemptions to the regulations contained in this Chapter may apply as follows:

1. Projects involving only work, maintenance or repairs to the interior of a building or structure and that do not affect exterior appearances are exempt from this Chapter.
2. Projects involving only ordinary maintenance or the replacement of similar or identical materials of an existing building or structure are exempt from this Chapter.
3. Parcels, property or structures located within the Historic District and subject to review by the Historic Resource Commission are exempt from the design-oriented elements of these standards.

### **6.4 Downtown Character Areas**

The DT-MU District is comprised of three Downtown Character Areas, the boundaries of which are depicted on the Regulating Plan – DT-MU District Map. The Downtown Character Areas establish a framework for the scale of development that is desired in different locations within Downtown.

#### **Main Street Mixed-Use**

The purpose of the Main Street Mixed-Use Character Area is to provide opportunities for infill and redevelopment, while retaining the traditional “Main Street” character and scale of Carson Street. To support this objective, building heights will be limited along the Carson Street frontage and adjacent to the State Capitol Complex and other historic structures, but will be permitted to “step up” away from the street – providing for a broader range of development opportunities. Active uses, such as retail shops and restaurants, as well as urban residential units, are desired throughout the character area to promote a lively street environment and expanded hours of activity.

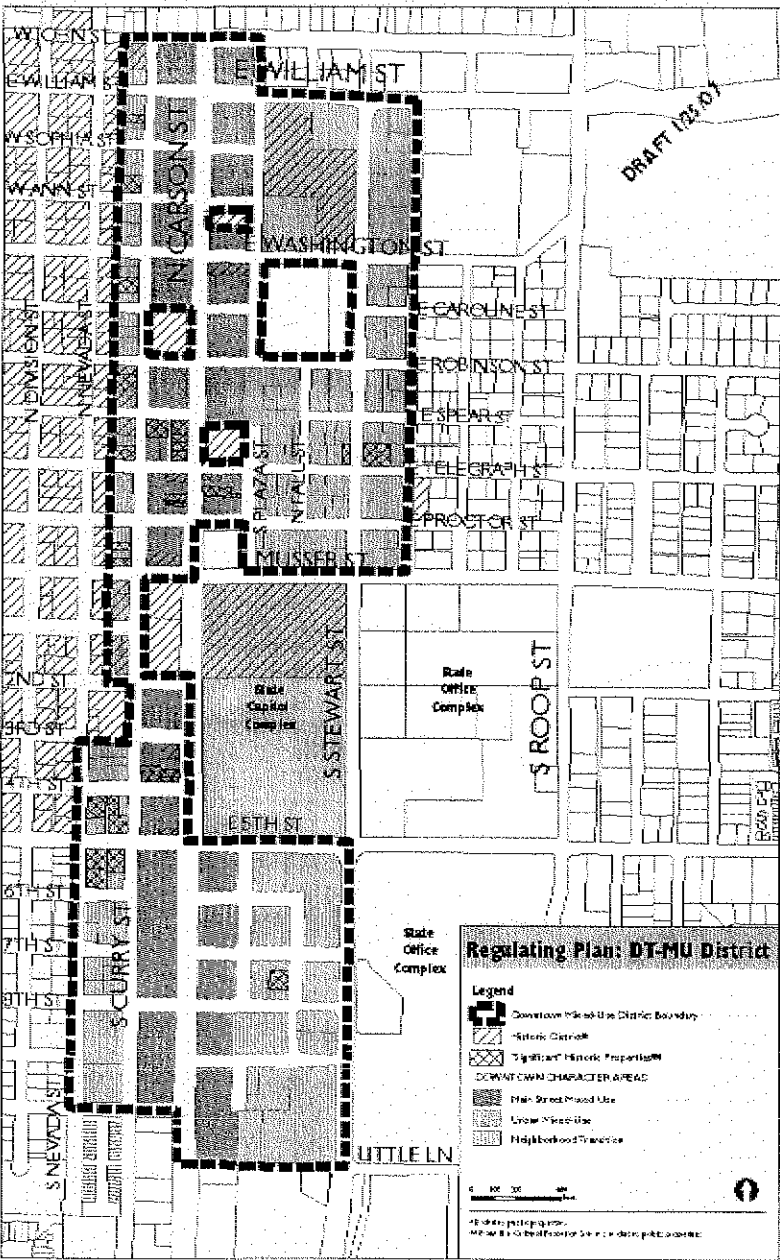
#### **Urban Mixed-Use**

The purpose of the Urban Mixed-Use Character Area is to provide for urban-intensity mixed-use development in areas of Downtown that contain larger tracts of vacant or underutilized land. It is intended to provide opportunities for concentrations of active uses such as convention space, casinos, hotels, urban residential or similar uses which typically have more intensive land requirements than could be readily accommodated in other areas of Downtown. To support these objectives, building heights in this area are permitted to be higher than in other character areas within Downtown, provided appropriate transitions are provided to the more modest scale

of development found along Carson Street, the surrounding neighborhoods, and the State Capitol Complex.

**Neighborhood Transition**

The purpose of the Neighborhood Transition Character Area is to provide a more gradual transition between the more urban patterns of development desired in other locations within Downtown and the surrounding residential neighborhoods. To support this objective, building heights are much more restrictive than in other character areas and are required to "step down" towards the surrounding neighborhood and building design becomes less blocky and urban and more residential in character. Uses in this area will tend to be primarily a mix of office and residential, however, a broad range of uses is permitted provided the design of the uses is compatible with the established character of the area.



**6.5 Permitted Uses**

This section sets forth the uses that are allowed within the DT-MU District and are intended to supplement the permitted and conditional uses listed in Chapter 18.04, Use Districts, Section 18.04.125, Downtown Mixed-Use, and group uses into specific categories for purposes in these development standards. A mix of uses is encouraged within each character area and may be required in some locations, as specified in this section.

**6.5.1 Permitted Use Tables**

A= Allowed (Primary Permitted Use); X = Not Allowed; C= Conditional Use	
Type of Use	
<b>RESIDENTIAL USE GROUP</b>	
Bed and Breakfast Inn	A
Boarding and Rooming House	A
Dwelling, Single Family	A
Dwelling, Two-Family	A
Dwelling, Multi-Family	A
Live/work dwelling	A
<b>OFFICE/PROFESSIONAL USE GROUP</b>	
Bank	A
Office	A
<b>COMMERCIAL/SERVICE/RETAIL USE GROUP</b>	
Adult Entertainment Facility	X
Alcoholic Beverage Sales (accessory to restaurant)	A
Alcoholic Beverages and Liquor, Retail	A
Amusement Arcade	C
Amusement Devices, Sales and Service	C
Automobile Service Station	C
Bakery	A
Bar	A
Brew Pub	A
Caterer	A
Child Care Facility	C
Christmas Tree Sales	A
Community/Regional Commercial/Office	A
Drugstore	A
Equipment Rental (within a building)	C
Farmers Market	A
Gaming Establishment (non-restricted)	C
Gaming (limited)	A
Health and Fitness Club	A
Hotel	A
Motel	C

## Downtown Business District

A= Allowed (Primary Permitted Use); X = Not Allowed; C= Conditional Use	
Type of Use	
Outdoor Merchandise Display (subject to Section IV.H.(2)c.)	A
Outside Storage (accessory to primary use only)	C
Parking Lot, Public or Private (as a primary use)	C
Pharmacy	A
Restaurant, with or without outdoor seating	A
Restaurant, with drive-in or drive-through	C
Retail and Personal Services	A
Second Hand Business	X
Street Vendors (subject to Development Standards)	A
Temporary Outdoor Display and Sales subject to Title 18 (Outdoor Sales)	A
Theater	A
Veterinary Clinic	A
Wedding Chapel	A
<b>CIVIC AND INSTITUTIONAL USE GROUP</b>	
Church, Temple, House of Worship	A
Convention Center	A
Fraternal Association	A
Jail or Correctional Facility	X
Library	A
Museum	A
Open Space	A
Park	A
Public Parking Garage	C
Public Restroom	A
Transit Passenger Facility	A
Public Plazas, Squares, and Community Amenities	A
Public Safety Facilities (police dispatch, fire substations)	A
Information Kiosk	A
School, College or University and Vocational	C

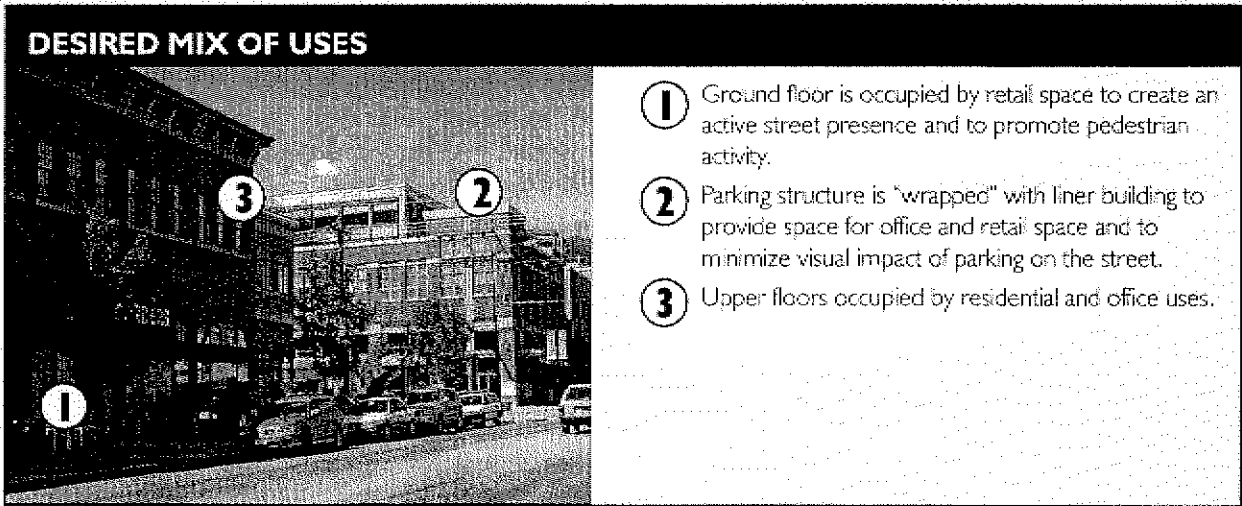
### 6.5.2 Conditional Use Criteria

In addition to the findings listed in Section 18.02.080 of the Municipal Code, findings from a preponderance of evidence must indicate that the proposed use:

- a. Is consistent and compatible with the character and intent for the Downtown Character Area in which it is proposed;
- b. Incorporates or can be incorporated as part of a broader mix of uses to support an active "people-oriented" environment within the Downtown; and
- c. Can be integrated into the more urban development pattern in a manner that is consistent with Master Plan policies for Downtown.



6.5.3 Mix of Uses



The following standards and guidelines shall apply within the Urban Mixed-Use and Main Street Mixed-Use character areas only:

- a. **Mix of Uses Encouraged.** To provide for a balance of commercial, office, residential, and civic uses as set forth above, new developments are encouraged to include a mix of two or more distinct types of permitted uses.
- b. **Required Mix of Uses—Sites 50,000 square feet or larger.** All developments on sites that exceed 50,000 square feet (roughly 2 blocks) shall include at least one use from the Commercial/Service/Retail Use Group, as identified in the table above.
- c. **Ground Floor Uses.** The incorporation of retail shops and/or restaurants is encouraged at the street level to promote a more active environment for pedestrians and to support residential and office uses located within the same building (on upper floors) or nearby. This configuration of uses is particularly encouraged along Carson Street and other major street frontages, as well as adjacent to major public spaces, where a high level of activity and visibility is desirable. If a limited portion of a structure's ground level will be devoted to retail or restaurant space, such space should be located along those facades adjacent to or most visible from primary street frontages or major pedestrian walkways.
- d. **Parking Structures.** Parking structures shall be "wrapped" with retail, office, or residential uses along a minimum of 50% of their street frontage to provide visual interest and to create pedestrian activity at the street level. Active uses, such as retail shops and/or restaurants, should be focused along those facades adjacent to or most visible from primary street frontages or major pedestrian walkways. Parking structures as a primary site use are only permitted by Special Use Permit.

6.6 General Development Standards and Guidelines

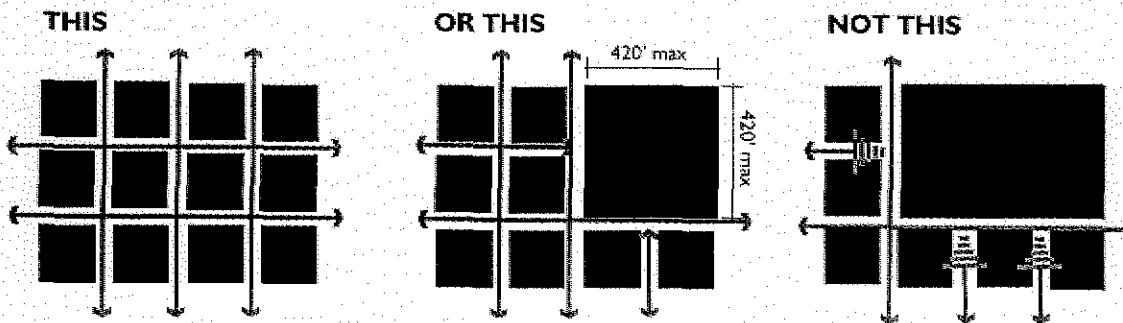
6.6.1 Vehicular and Pedestrian Connections

a. Intent.

- To maintain a well-defined pattern of urban blocks within Downtown that provide frequent connections to adjacent neighborhoods and serve as a framework for a varied mix of uses.
- To maintain frequent pedestrian connections that reflect Carson City's traditional pattern of blocks while allowing for the incorporation of some larger developments and outdoor plazas that require the consolidation of 2 or more blocks, where appropriate.

b. Block Size

- (1) To the maximum extent feasible, new development shall work within the framework of Downtown's existing pattern of blocks to avoid interrupting the grid pattern, creating large "superblocks," and limiting access to adjacent neighborhoods.
- (2) Maximum block lengths resulting from block consolidation shall be limited to 420 feet.
- (3) Where block consolidation is proposed (by right-of-way abandonment), special consideration shall be given to vehicular circulation patterns, flood/drainage pathways, and view corridors to significant features in the area, such as the Capitol building and the mountains to the west.



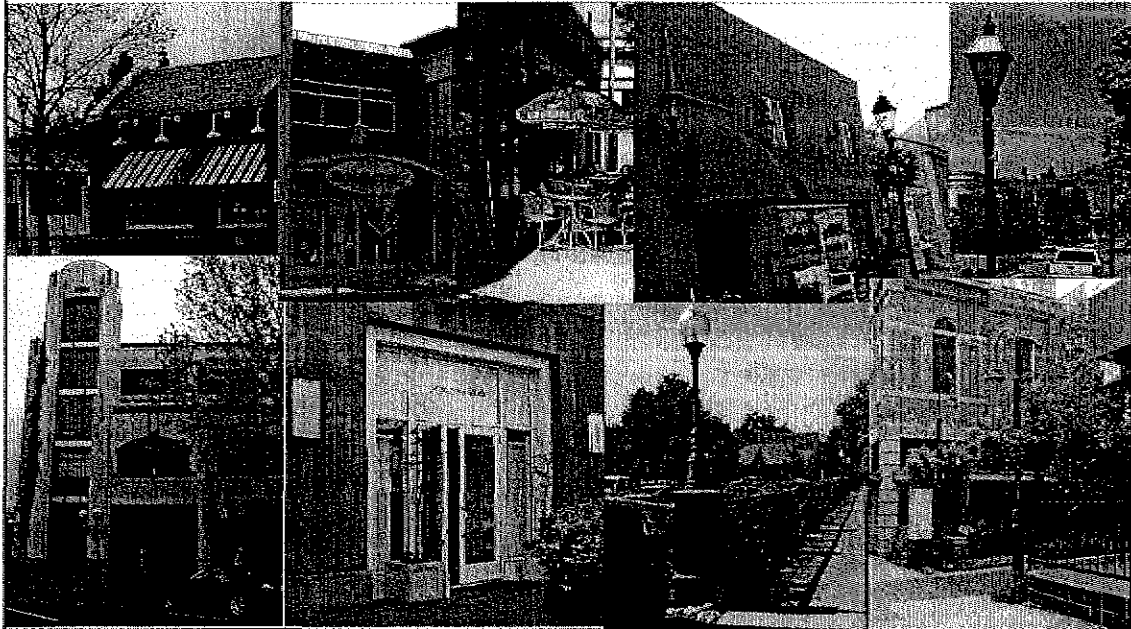
6.6.2 Lighting

a. Intent.

- To encourage a safe, appealing, and pedestrian-friendly nighttime environment within Downtown core.
- To promote the retention of the Downtown core's unique nighttime character, as provided by its numerous lighted marques and animated lights.
- To ensure that new lighting is compatible with the established character of the Downtown and the surrounding neighborhoods.

**Lighting Examples:**

Following are examples of the types of pedestrian-oriented lighting appropriate within the Downtown Mixed-Use District. These examples are provided for illustrative purposes only; all lighting shall be consistent with the regulations contained within this Chapter.



**b. Exterior Lighting.**

- (1) Low-scale, decorative lighting shall be used to accent architectural details, building entries, or signs. Additional, pedestrian-scaled lighting shall be provided to illuminate sidewalks, enhancing security and extending hours of activity.
- (2) All light sources shall be shielded to protect the City's dark skies and prevent spillover into adjacent residential neighborhoods and the City's Downtown.
- (3) Lighted marques and animated lighting, such as chase lights, exist in many locations within Downtown and are reflective of the City's gaming traditions. Generally, this type of lighting should be limited to that which exists today; however, new lights may be approved by the Director or designee on a project-by-project basis.
- (4) Building façade accent lighting is limited to an upward angle of 45 degrees and must be focused on the building to minimize light trespass onto adjacent properties and into the sky.

**c. Storefront Lighting.** The incorporation of interior window lighting to highlight displays is strongly encouraged to provide off-hour interest along Carson Street.

**d. Street Lights.** All street lights, whether intended for pedestrian or auto-oriented purposes, shall be consistent with the City's Downtown Streetscape Plan.

**6.6.3 Signage**

**a. Intent.**

- To encourage a diverse and visually interesting streetscape environment along Carson Street by allowing a variety of types of business signage, as traditionally found; and
- To ensure that signage is compatible with the pedestrian-oriented scale of Downtown.

**b. General.**

- (1) All standards contained in this subsection shall be applied in addition to signage regulations contained in Division 4 of the City's Development Standards.
- (2) If a conflict between the two articles appears to exist, the standards contained in this article shall take precedence.

**c. Materials.** Signs shall be constructed of durable, low-maintenance materials that complement the design and character of the building they serve.

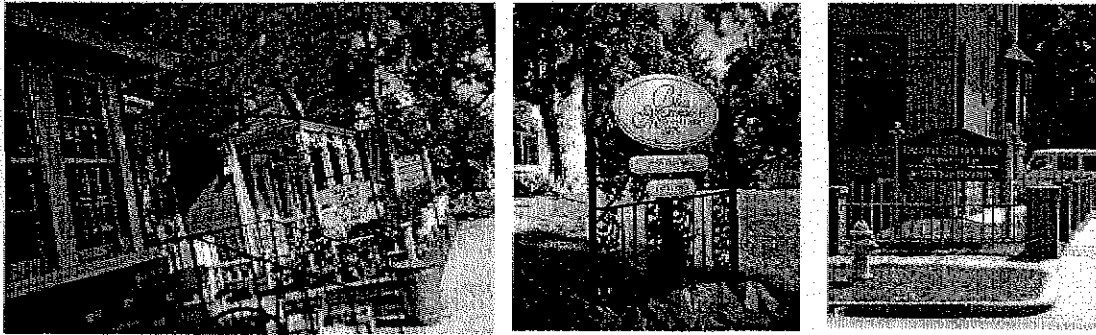
**d. Preferred Signage Types.**

- (1) The use of hanging signs is encouraged for non-gaming uses to reinforce the pedestrian-oriented scale of Downtown. Hanging signs and other sign types attached to the front of buildings are permitted to project into the public right-of-way, over the sidewalk, subject to the issuance of an encroachment permit. Hanging signs shall not:
  - (a) Exceed 24 inches in height and 3 feet in length; or
  - (b) Be located where less than 8 feet of clear height can be provided above the sidewalk from the overhang or awning from which they are suspended.
- (2) The creative use of symbols or other images indicative of the use contained within the building in the design of signs is strongly encouraged.
- (3) The use of permanent window signs is encouraged for non-gaming uses to reinforce the pedestrian-oriented scale of Downtown. Window signs shall not exceed 10% of the window area.

**e. Neighborhood Transition Character Area.** The following standards shall be applicable within the Neighborhood Transition character area only.

- (1) The maximum freestanding sign height shall be six feet.
- (2) Signs shall be designed to reflect the more residential scale and appearance of the Neighborhood Transition character area.

**PREFERRED SIGNAGE TYPES: NEIGHBORHOOD TRANSITION AREA**



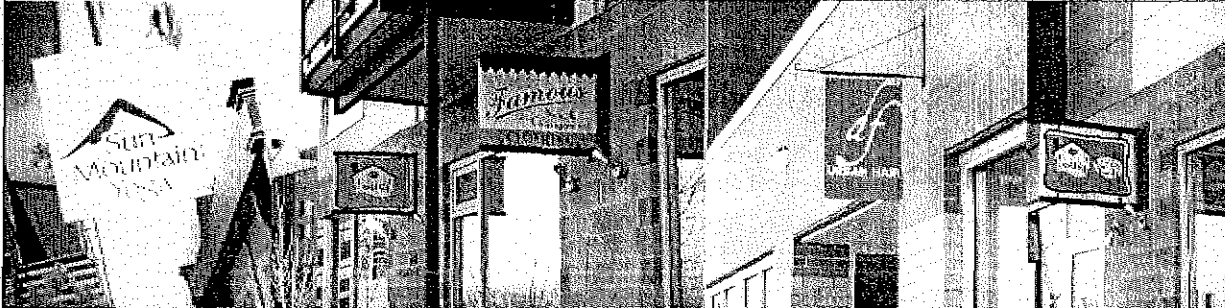
Examples of signs designed to reflect a more residential setting, as desired within the Neighborhood Transition character area.

- f. **Wayfinding Signage.** All on-site wayfinding signage shall be consistent with the City's Wayfinding Signage Design Standards.
- g. **A-Frame Signs ("Sandwich-Board" Signs).**
  - (1) One A-Frame sign is permitted per business per street frontage.
  - (2) Sign must be placed against the building the business operates from or within the landscaped area between the sidewalk and the street.
  - (3) A minimum of six feet of unobstructed sidewalk clearance must be maintained.
  - (4) Signs must be professionally manufactured and shall not exceed 32 inches in width and 36 inches in height. However, chalkboard frames with erasable letters are also appropriate.
  - (5) All signs shall be in good repair and neatly painted. No attachments to signs are permitted.
  - (6) Signs shall not be displayed during non-business hours.
  - (7) No sign shall be located where it obstructs the line of sight for passing motorists.

**Preferred Signage Types:**

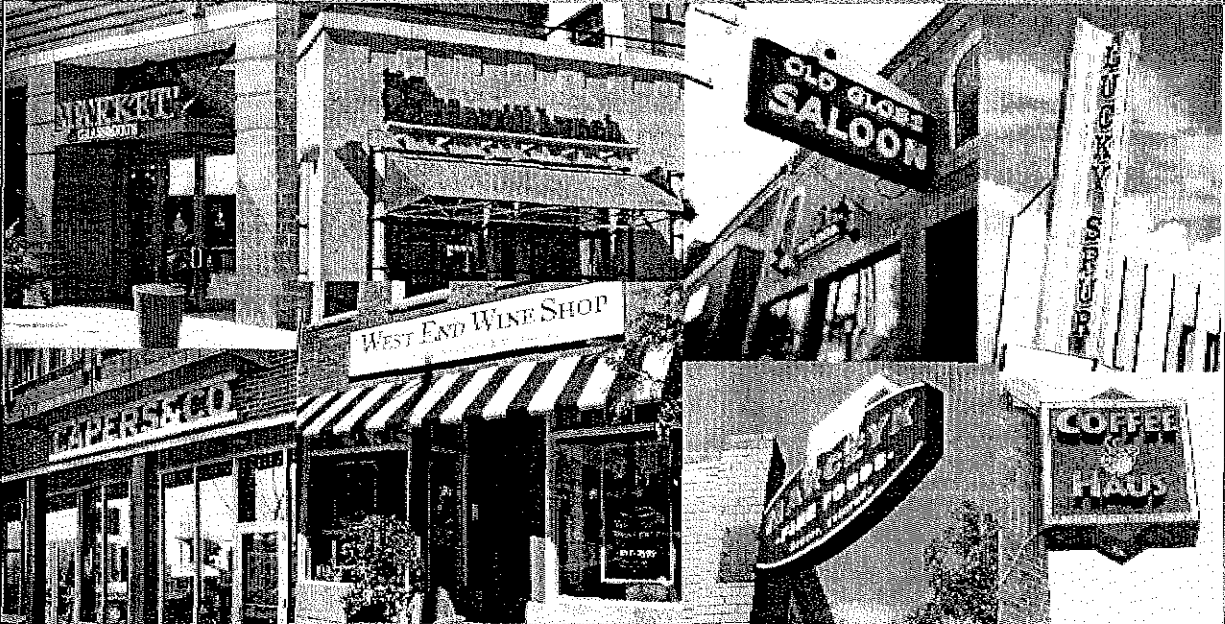
Following are examples of the types of businesses-oriented signs appropriate within the Downtown Mixed-Use District. These examples are provided for illustrative purposes only. All signs shall be consistent with the regulations contained within this Chapter and Division 4 of the City's Development Standards.

**HANGING SIGN EXAMPLES**



**WALL & AWNING MOUNTED SIGN EXAMPLES**

**PROJECTING SIGN EXAMPLES**



**WINDOW SIGN EXAMPLES**



**6.6.4 Sustainable Design and Construction**

- a. **Intent.**
- To encourage the use of sustainable building materials and construction techniques in Downtown projects, through programs such as the US Green Building Council's LEED (Leadership in Energy Efficiency and Design) program;
  - To encourage the use of new and emerging technologies that lead to increased energy conservation for Downtown uses; and
  - To establish Downtown Carson City as a leader in the incorporation of innovative and sustainable design and construction techniques.
- b. **LEED (Leadership in Energy and Environmental Design).** All new residential, commercial, and mixed-use buildings are required to meet basic LEED green building rating system criteria and are required to submit a LEED scorecard as part of the design review process.

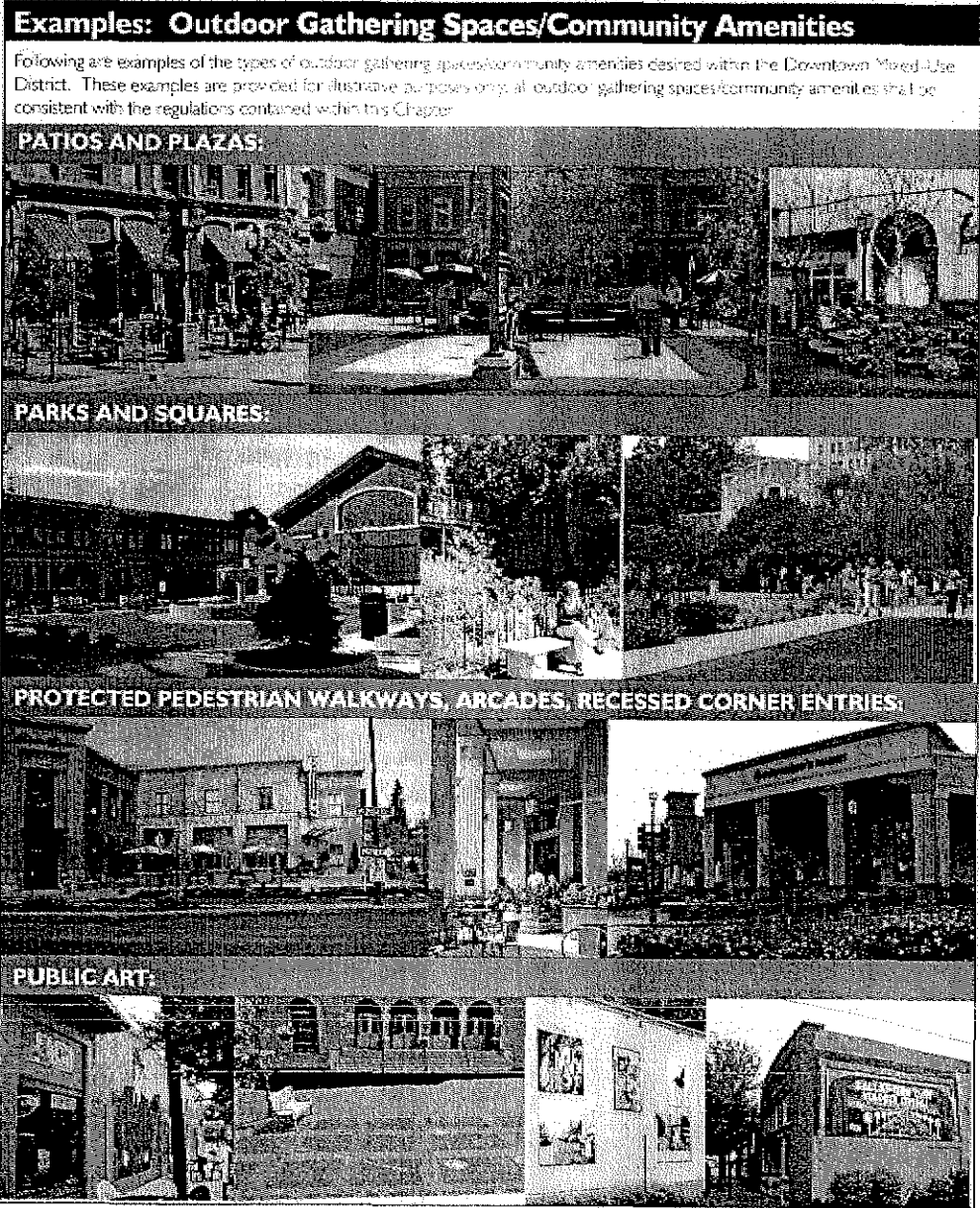
**6.6.4 Outdoor Gathering Spaces and Community Amenities**

- a. **Intent.**
- To establish a series of safe and inviting outdoor gathering spaces where Downtown residents, employees, and visitors may gather, interact, rest, shop, and eat.
  - To create an attractive public realm and vibrant pedestrian environment within Downtown's most urban character areas.
  - To encourage the incorporation of public art, urban recreation spaces, and other community amenities into the design of outdoor gathering space.
- b. **Improvements in Public Space.** Public and private improvements on any city-owned property within the DT-MU district, including without limitation streets, sidewalks, curbs, landscaping and outdoor gathering and urban recreation spaces must conform to the design standards in this Chapter and to the City's Downtown Streetscape Plan, as applicable.
- c. **Provision of On-Site Amenities**
- (1) Development on sites 50,000 square feet or less shall incorporate at least one of the following on-site outdoor gathering spaces or community amenities, and developments on sites larger than 50,000 square feet shall incorporate at least two of the following outdoor gathering spaces or community amenities and one additional amenity for each 25,000 square feet above 50,000 square feet of area, as highly-visible, easily-accessible, focal points:
- (a) Patio or plaza with a minimum depth and width of 10-feet, and a minimum total area of 150 square feet.
  - (b) Landscaped mini-parks or squares provided such park or green has a minimum depth and width of 10-feet and a minimum total area of 250 square feet.
  - (c) Protected pedestrian walkways; arcades; recessed corner entries with a minimum area of 100 square feet; or easily identifiable building pass-

throughs containing window displays and intended for general public access.

- (d) Outdoor public art, as approved by the city, in an area that is:
  - (i) Visible from an adjacent public sidewalk or street, and
  - (ii) Easily accessed for viewing by pedestrians (e.g., a sculpture mounted to an exterior building wall).
- (e) Similar feature as approved by the Director or designee.

(2) Outdoor gathering spaces provided in accordance with the above standard shall incorporate a variety of pedestrian amenities to promote regular use. Pedestrian amenities may include, but are not limited to, seating, lighting, special paving, landscaping, food and flower vendors, artwork, and/or special urban recreational features.





- d. **Buildings Adjacent to Outdoor Gathering Spaces/Community Amenities.** To ensure the visibility and security of outdoor gathering spaces and community amenities, buildings located adjacent to an existing or planned pedestrian plaza, patio, or urban park shall provide at least two of the following elements along the building wall abutting the outdoor gathering space or community amenities:
- (1) A building entry,
  - (2) Windows meeting the street frontage standards facing onto the outdoor amenity,
  - (3) Arcades along the edges of the outdoor amenity,
  - (4) Outdoor seating areas or cafes, or
  - (5) A similar feature that the Director finds will, to at least the equivalent degree, bolster security and encourage pedestrian use of the outdoor amenity.
- e. **Outdoor Decks and Balconies.** Decks and balconies may project into the public right-of-way, over sidewalk areas, subject to the issuance of an encroachment permit.

**6.6.5 Parking**

- a. **Intent.**
- To encourage the redevelopment of smaller sites and the preservation and adaptive reuse of historic structures in Downtown by providing a more flexible approach to parking;
  - To minimize the visual and physical impact of surface parking lots on the Downtown pedestrian environment;
  - To reduce the predominance of single-purpose, surface parking lots in Downtown; and
  - To make efficient use of available on-street parking.
- b. **Minimum Required On-Site Parking.**

TYPE OF USE	MINIMUM # OF ON-SITE PARKING SPACES REQUIRED
<b>Residential Uses</b>	
1 bedroom or studio unit	1 space/residential unit
2 bedroom unit	1.25 spaces/residential unit
3 or more bedroom unit	1.5 spaces/residential unit
Senior citizen housing	0.5 per bedroom plus 1 per employee for the largest shift.
Guest Parking	1 space per 8 dwelling units.
<b>Commercial/Retail/Office Uses *</b>	
Single use building (greater than 30,000 s.f.)	3 spaces per 1,000 square feet
Mixed-use building (greater than 30,000 s.f.)	2 spaces per 1,000 square feet

## Downtown Business District

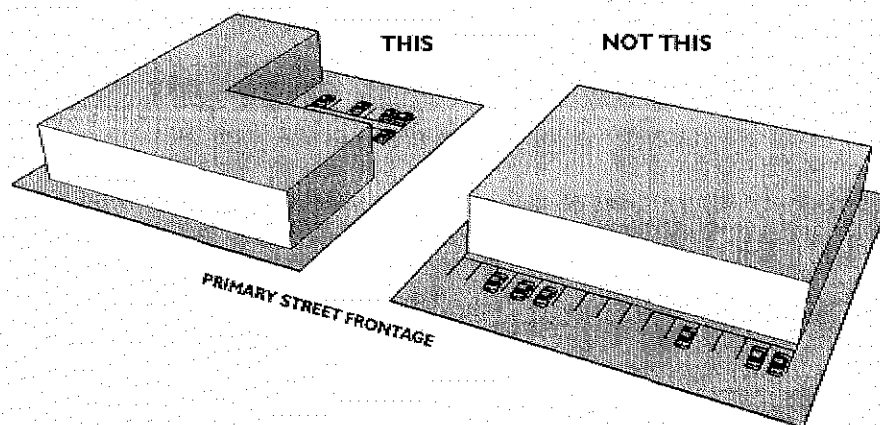
TYPE OF USE	MINIMUM # OF ON-SITE PARKING SPACES REQUIRED
Single use building (5,000-30,000 s.f.)	2.75 spaces per 1,000 square feet
Mixed-use building (5,000-30,000 s.f.)	1.75 spaces per 1,000 square feet
Single use building (less than 5,000s.f.)	2.5 spaces per 1,000 square feet
Mixed-use building (less than 5,000s.f.)	1.5 spaces per 1,000 square feet
Existing building	No additional parking is required for a change of use in an existing building, even where the existing parking may be nonconforming. Additional parking must be provided in accordance with these standards for any building addition area that adds new habitable or leasable floor area. Amount of additional parking to be provided shall be calculated based upon new square footage only.

\* In order to be eligible for minimum parking requirements outlined for mixed-use buildings, a maximum of 75-percent of a building's total square footage may be devoted to different uses within a single use group, as outlined in Section 6.5, Permitted Uses. This applies to any mixed-use buildings of any size.

- c. **Fee-in-lieu.** Applicants may make an in-lieu payment (as defined within the Carson City Downtown Parking Strategy) for construction, maintenance and operation of public off-street parking or on-street parking instead of providing the full number of off-street parking spaces as required above. The portion of required parking eligible for an in-lieu payment shall vary according to the type of use and the size of the development as follows:

TYPE OF USE	PERCENTAGE OF REQUIRED OFF-STREET PARKING SPACES ELIGIBLE FOR IN-LIEU PAYMENT
<b>Residential Uses</b>	
Guest Parking Only	Up to 25-percent
<b>Commercial/Retail/Office Uses</b>	
Single use building (greater than 30,000 s.f.)	Up to 15-percent
Mixed-use building (greater than 30,000 s.f.)	Up to 25-percent
Single use building (5,000-30,000 s.f.)	Up to 25-percent
Mixed-use building (5,000-30,000 s.f.)	Up to 50-percent
Single use building (less than 5,000s.f.)	Up to 50-percent
Mixed-use building (less than 5,000s.f.)	Up to 75-percent
Existing building	Up to 100-percent of additional parking required in conjunction with a building addition area that adds new habitable or leasable floor area.

- d. **Shared Parking.** The amount of off-street parking required may be reduced by an amount determined through a parking demand study establishing that sufficient parking is or can be met by the subject uses through shared parking. The parking demand study shall provide information and evidence about the anticipated parking demand at peak times during the day and the distance relationship between available shared parking spaces and the specific uses served.
- e. **Tandem Parking.** Required parking for residents of residential developments may be provided in the form of tandem parking when at least one space is within an enclosed garage or parking structure.



- f. **Parking Location.** Surface parking shall be located behind and/or to the side of buildings. Surface parking will not be permitted between the building and the primary street frontage.

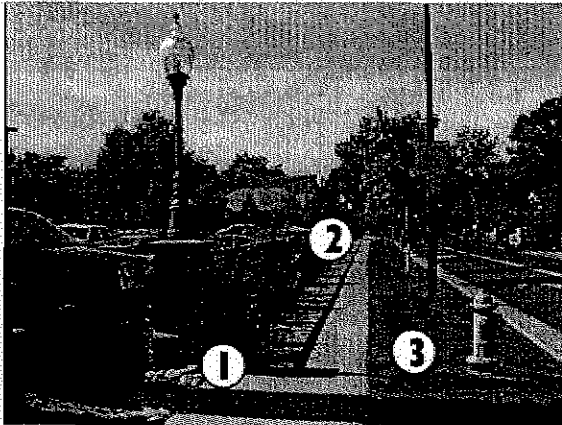
### 6.6.6 Landscaping and Screening

- a. **Intent.**
- To create a more attractive, inviting, streetscape environment within Downtown;
  - To reduce the visual prominence of surface parking within Downtown; and
  - To reinforce the more urban character of the Downtown streetscape through the use of less space-intensive, structural screening methods.
- b. **Parking Lot Screening.**
- (1) All surface parking lots visible from the public right-of-way shall be screened using one of the following methods, unless otherwise noted in (3), below:
    - (a) A low masonry wall in combination with landscaping; or
    - (b) A wrought iron or other ornamental fence in combination with landscaping.
  - (2) To satisfy the above standard:
    - (a) Landscaping shall be planted between the wall and the public right-of-way, sidewalk, or boundary; and

- (b) Walls, fences, and landscaping shall not exceed 3.5 feet in height to adequately screen most car headlights while maintaining clear visibility into and out of the parking lot.
- (3) Developments of less than 10,000 square feet, or that involve the renovation of an existing building may use an ornamental fence or wall as a standalone screening mechanism to meet the surface parking screening requirement above to maximize available space.

### Parking Lot Screening

#### THIS



- 1 Surface parking is screened from street and pedestrian realm using a wrought iron fence in combination with landscaping.
- 2 Fence and landscaping do not exceed 3.5 feet in height to maintain visibility in and out of parking area.

#### NOT THIS



- 3 Consistent landscape area between sidewalk and street softens appearance of surface parking and creates safe, inviting environment for pedestrians.
- 4 Surface parking is not screened from street or pedestrian realm. No landscape area is provided between sidewalk and street, creating an unwelcoming and potentially unsafe environment for pedestrians.

#### c. Trash Collection Areas.

- (1) Trash enclosure area shall be provided or available to serve any new development or building expansion. Unscreened storage of trash receptacles is prohibited.
- (2) Trash collection areas shall be screened from public rights-of-way and adjacent uses through the use of a six-foot masonry wall enclosure and gate.
- (3) Trash enclosures should be compatible with the architectural character of the building they serve and should incorporate similar materials and colors.

6.6.7 Streetscape

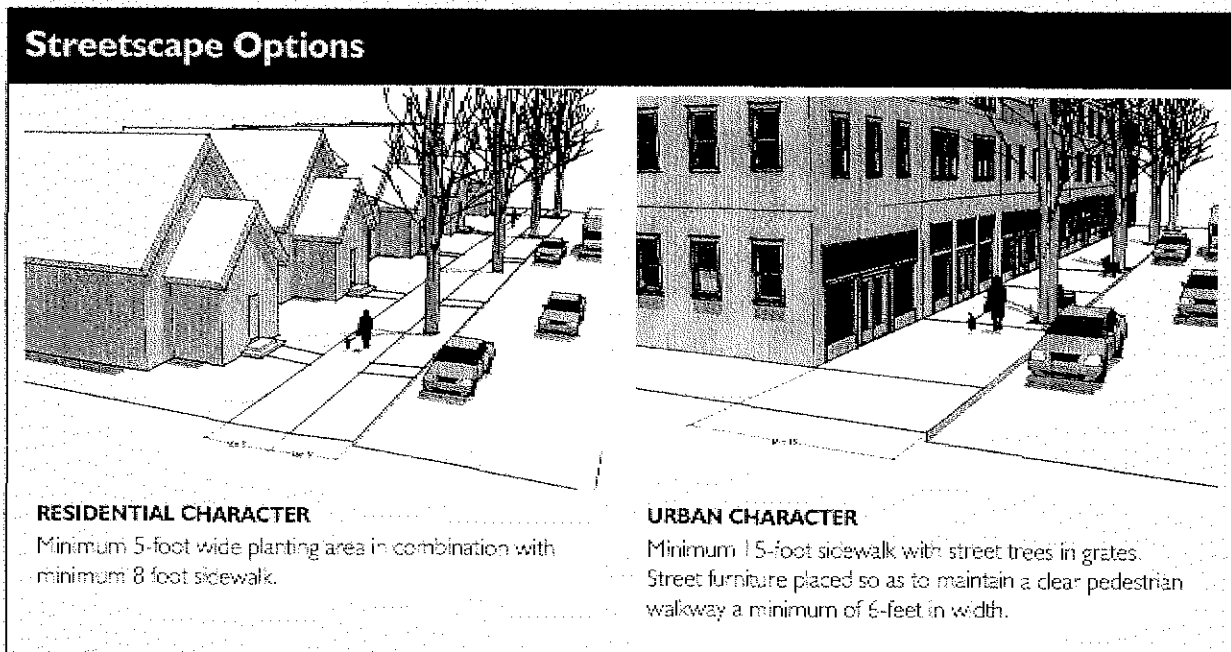
a. Intent.

- To create a safe, inviting streetscape environment for pedestrians in Downtown;
- To ensure that streetscape enhancements provided by infill and redevelopment projects are consistent with the City's Downtown Streetscape Plan, and the surrounding development context, as applicable.

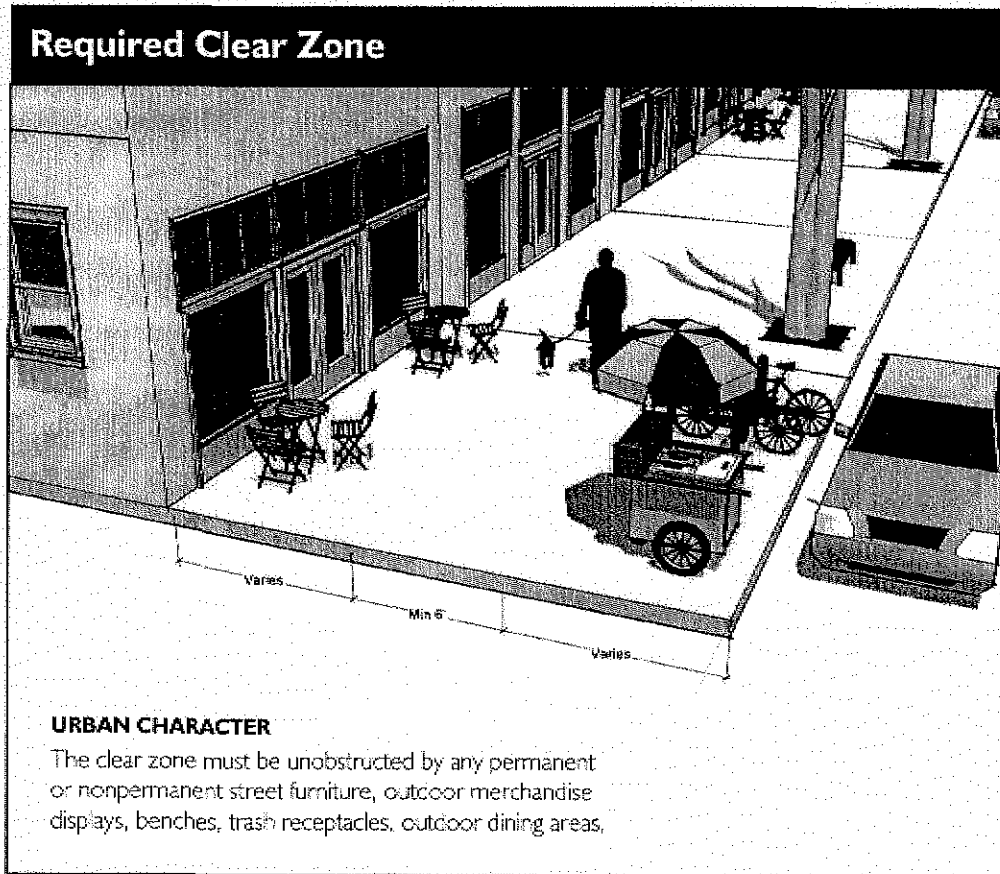
b. **Downtown Streetscape Plan.** Streetscape treatments (including street furniture) for all developments shall be provided in accordance with the City's Downtown Streetscape Plan, as applicable.

c. Streetscape.

- (1) Prior to the completion of the City's Downtown Streetscape Plan, and for all other properties not addressed within the completed Downtown Streetscape Plan, streetscape shall be provided along all street frontages as follows:
  - (a) Residential Character: Minimum 5 foot-wide planter area in combination with minimum 8 foot sidewalk; or
  - (b) Urban Character: Minimum 15-foot sidewalk with street trees in grates.
- (2) Where angled, on-street parking currently exists or is specified within the City's Downtown Streetscape Plan and the above configurations are not feasible, alternative streetscape configurations may be approved by the Director.
- (3) Street furniture shall be placed so as to maintain a clear pedestrian walkway that is a minimum of 6 feet in width. Street furniture includes benches, trash receptacles, outdoor dining areas, and other pedestrian amenities.



- d. **Clear Zone.** A clear zone of a minimum of 6-feet in width that is unobstructed by any permanent or nonpermanent street furniture, outdoor merchandise displays, benches, trash receptacles, outdoor dining areas, and other pedestrian amenities must be maintained.



- e. **Outdoor Merchandise Displays.**
- (1) Each business shall be limited to one outdoor merchandise display. Outdoor merchandise displays may include:
    - (a) A single display table a maximum of 3 feet wide and 6 feet in length;
    - (b) A mannequin used to display clothing or other merchandise sold within the store;
    - (c) A grouping of furniture or other merchandise sold within the store that occupies a portion of the sidewalk not more than 3 feet in width and 6 feet in length; or
    - (d) Similar display as approved by the Director.
  - (2) Outdoor merchandise displays must be placed against the building the business operates from or within the landscaped area between the sidewalk and the street.
  - (3) Outdoor merchandise displays shall be in compliance with Clear Zone provisions, as specified in Section 6.6.7(d), above.

- (4) Outdoor merchandise displays shall not be displayed during non-business hours.
- (5) No outdoor merchandise display shall be located where it obstructs the line of sight for passing motorists.

#### 6.6.9 Street and Sidewalk Vending

a. **Intent.**

- To establish a set of baseline standards for the regulation of street vendor carts within Downtown to ensure that they complement existing retail businesses, are compatible with the character of downtown, and expand the range of services available to Downtown workers, visitors, and residents; and
- To establish a framework for the long-term development of a formal street and sidewalk vending program to enliven the Downtown streetscape.

b. **Vendor Carts.** Street vendors are permitted in the DT-MU District only after approval by the *Redevelopment Advisory Citizens Committee*. Street vendors should have a positive impact upon the Downtown, as determined by an evaluation of the application against all relevant provisions of this title. The following minimum standards shall apply for all such requests:

- (1) Street vendors shall be approved at a specific, permanent location.
- (2) Carts used for street vending shall be on wheels and shall not be larger than three feet by five feet.
- (3) Only consumable products may be sold from a street vendor cart.
- (4) If located within a City or State right-of-way, encroachment permits and liability insurance shall be required.
- (5) If adjacent to or in front of a business not their own, the street vendor cart operator shall be responsible for obtaining permission of the affected business and property owner and shall submit evidence of such permission.
- (6) If adjacent to or in front of a property listed in the Carson City Historic District, review, approval, and compliance with conditions of the HRC shall be required.
- (7) Electrical and gas services require review and approval of the Building and Engineering Divisions and the Fire Department.
- (8) Approval of the Health Department is required for all food vendors.

c. **Vending Review Board.** The Redevelopment Advisory Citizens Committee shall serve as the Vending Review Board to review all applications for street vending.

**6.6.10 Building Design and Character**

a. **Intent.**

- Allow for the incorporation of a variety of architectural styles while ensuring that infill and redevelopment relates to the historic traditions of Downtown Carson City and its surrounding neighborhoods in terms of its basic form, composition of building elements, and quality of materials;
- Establish a high quality appearance for Downtown infill and redevelopment through the incorporation of architectural detailing, *façade articulation*, and other features designed to provide a more distinct character and pedestrian scale;
- Ensure that infill and redevelopment contributes towards the vision set forth for Downtown by the City's Master Plan.

b. **Materials.** Primary building materials shall be durable and project an image of permanence typical of Downtown's traditional masonry storefronts and public buildings. Appropriate materials include, but are not limited to brick, stone, or other masonry products, steel, stucco, cast concrete, split face block, composite siding, or comparable material approved by the Director.

c. **Four-Sided Design.**

- (1) All building facades shall be designed with a similar level of design detail. Blank walls void of architectural detailing shall not be permitted.
- (2) Exceptions from the above standard may be granted for those areas of the building envelope that the applicant can demonstrate are not visible from adjacent development and streets.
- (3) Entrance locations should be placed with consideration of business-to-business pedestrian access and the relation to pedestrian crossings for safety.

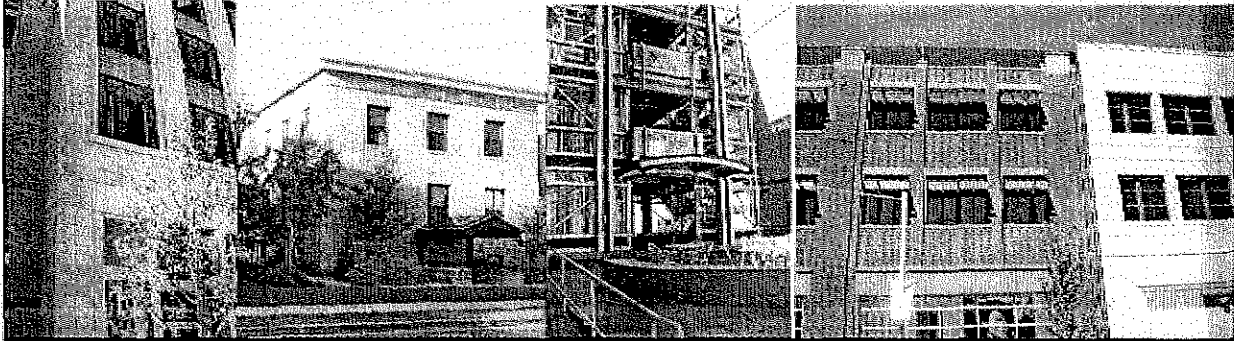
d. **Street Level Interest/Transparency**

- (1) A minimum percentage of the total area of each ground floor building façade which faces a street, plaza, park, or other public space, shall be comprised of transparent window openings to allow views of interior spaces and merchandise, to enhance the safety of public spaces by providing direct visibility to the street, and to create a more inviting environment for pedestrians. Minimum percentages vary according to Character Area and use as follows:
  - (a) Main Street Mixed-Use Character Area: Fifty percent minimum.
  - (b) Urban Mixed-Use Character Area:
    - (i) Non-Residential Uses: Fifty percent minimum.
    - (ii) Residential Uses: Thirty-five percent minimum.
  - (c) Neighborhood Transition Character Area:
    - (i) Non-Residential Uses: Forty percent minimum.
    - (ii) Residential Uses: Thirty percent minimum.



### Examples: Materials

Primary building materials shall be durable and project an image of permanence typical of Downtown's traditional masonry storefronts and public buildings. These examples are provided for illustrative purposes only. All materials shall be consistent with the regulations contained in this Chapter.



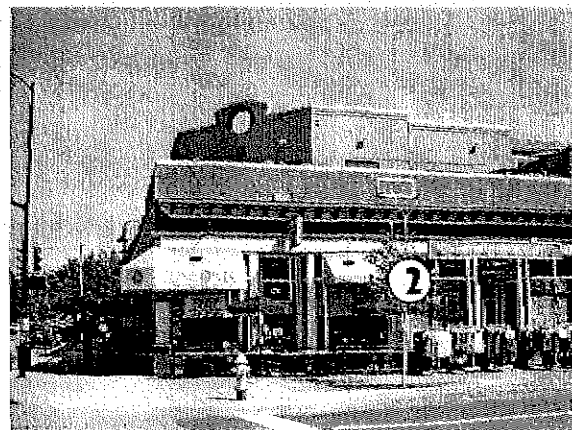
### Street Level Interest/Transparency

**NOT THIS**



**1** Buildings that lack transparency do not create an inviting and interesting streetscape for pedestrians

**THIS**



**2** Display windows provide transparency at the street level of these retail storefronts, creating an inviting environment for pedestrians

### Primary Building Entrances

Following are examples of building entrances made easily discernible through the use of architectural elements.



- (2) For the purposes of the above standard, all percentages shall be measured using elevation views of the building plan and "ground floor" shall be measured from floor plate to floor plate.
- (3) The following standards shall apply to all ground floor windows:
  - (a) Non-residential uses: Glazing on all ground floor windows shall be transparent.
  - (b) Residential uses: Glazing on ground floor windows shall be transparent to allow views into common hallways, foyers, or entryways, but may be translucent or opaque when necessary to protect the privacy of ground-floor spaces used for dwelling purposes.
  - (c) Black or mirrored glass is prohibited.
- e. **Primary Building Entrances.** Primary building entrances shall be clearly distinguished through the use of one or more of the following architectural features:
  - (1) Covered walkways or arcades;
  - (2) Awnings, canopies, or porches; and/or
  - (3) Projected or recessed building mass.
- f. **Parking Structures.**
  - (1) Facades of single-use parking structures (e.g., no retail or residential) shall be articulated through the use of three or more of the following architectural features:
    - (a) Windows or window shaped openings;
    - (b) Masonry columns;
    - (c) Decorative wall insets or projections;
    - (d) Awnings;
    - (e) Changes in color or texture of materials;
    - (f) Approved public art;
    - (g) Integrated landscape planters; or
    - (h) Other features as approved by the Director or designee.
  - (2) Openings in parking structures shall be designed to screen views of parked cars from surrounding properties through the use of architectural screens or similar features.
- g. **Residential Garage Location and Design**
  - (1) Where lot configurations permit, residential garages shall be located in the rear yard and accessed from the alley or a narrow drive from the street, as traditionally found in Downtown's residential neighborhoods.
  - (2) Attached front-loading garages shall be recessed behind the front façade of the home a minimum of 10 feet.

**h. Screening of Utility/Mechanical Equipment**

- (1) Roof mounted mechanical equipment shall be screened from public rights-of-way and adjacent properties through the use of parapet walls, equipment wells, architectural screens, or similar features that may be integrated into the overall design of the building.
- (2) All equipment shall be located below the highest vertical element of the building.
- (3) Wall-mounted air conditioning units shall be integrated into the design of the building and/or screened.

**6.6.11 Guidelines for the Renovation and Restoration of Existing Structures**

**a. Intent.**

- To promote the preservation of existing Downtown buildings that have historic characteristics, although they are not included as part of the Historic District.
- To promote and establish appropriate procedures for the cleaning, renovation, and restoration of original Downtown storefronts that have been substantially altered and obscured during previous remodeling efforts.

**b. Inappropriate Alterations.**

- (1) Remodeling with unauthentic false historical details, trims, and moldings creates a confusing historical context for the community and should be avoided.
- (2) The use of light gauge metal, steel panels, or other materials to make two or more storefronts appear to be a single, larger structure should be avoided. If panels are already in place, upper story windows, storefronts, doors, cornices, and other trim materials which were removed to accommodate the panels should be researched and replaced during the rehabilitation process.
- (3) Upper story doors and windows and street-level storefronts that have been previously covered, sealed, or filled in should be restored to their original proportions and appearance during the rehabilitation process.
- (4) Transom windows which were covered over when suspended acoustical tiled ceilings were installed, or for other reasons, should be uncovered during the rehabilitation process.

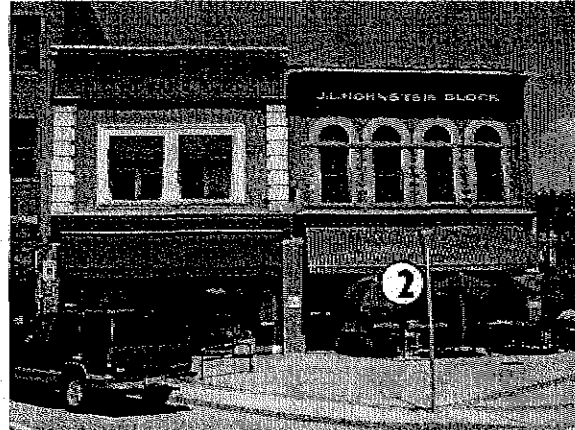
**Inappropriate Alterations**

**NOT THIS**



**1** The use of light gauge metal, steel panels, or other materials to make two or more storefronts appear to be a larger structure should be avoided.

**THIS**



**2** Upper story doors and windows and street-level storefronts that have been previously covered, sealed, or filled in should be restored to their original proportions during the rehabilitation process.

c. **Cleaning.**

- (1) Abrasive cleaning techniques such as sandblasting should be avoided on the exterior of Downtown buildings. Such cleaning methods cut into the building's materials, causing irreversible damage.
- (2) Sandblasted buildings that have not severely deteriorated should be painted to slow the process. Care must be taken to avoid varnishes, enamels, polyurethane sealants and other products impervious to moisture penetration. Sealants will lock moisture inside the masonry and prevent evaporation ultimately causing severe moisture damage.
- (3) As an alternative to abrasive cleaning techniques, the following techniques should be considered:
  - (a) A gentle water wash in combination with a natural bristle brush used to gently scrub the surface of the building. If necessary, a mild detergent can be used, but must be thoroughly rinsed.
    - (i) For heavy grime or layers of paint, a chemical cleaner may be necessary. Alkaline or acidic cleaners are available; however, chemical cleaning should always be done by experienced professionals.
    - (ii) A steam cleaning process may also be appropriate for certain building materials.
- (4) Whether water, steam, or chemical cleaner is used, always clean a test patch area first to judge the reaction, or consult a professional in the field. A list of local professionals is available at the Planning Division.

- (5) All debris and cleaning materials should be contained on site and not allowed to flow into the storm drain system.

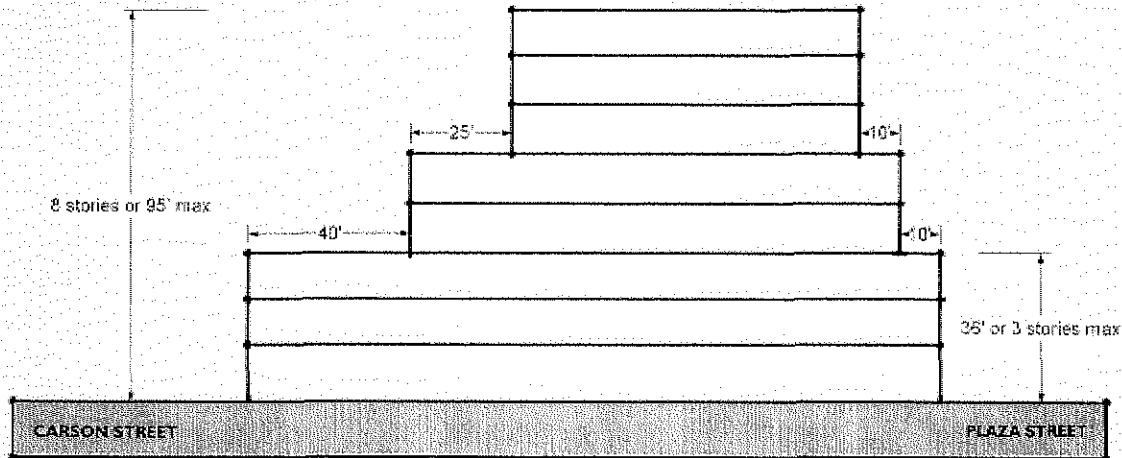
**d. Repair, Removal, and Replacement.**

- (1) Removal of materials or structures including oversized signs, windows or door coverings, or metal slipcovers should not take place until the following steps are followed:
  - (a) Inventory and photograph or draw accurate elevations of the elements to be removed.
  - (b) Examine each element and determine how it is attached and anchored to the building. If possible, remove a small portion of a slipcover to determine how the rest is anchored.
  - (c) Create a plan for repair of original material that was damaged when alterations were made; drilled holes for anchor bolts, lost or damaged decorative elements, accumulated dirt and rust stains are the most common types of damage.
- (2) If a decorative element such as a cornice or trim around a window was removed or altered to accommodate earlier renovation efforts, it may require replication by a skilled artisan or replacement with a simpler element. Catalogs of companies that specialize in replicating historic building architectural details are available from the Planning Division.
- (3) If the original element is lost and no photo documentation is present, it is recommended that the element be substituted with a more conservative design element.
- (4) Materials used to renovate existing buildings should be of a texture, scale, and color that are compatible with the original primary building material. Replacement parts should be selected so as to blend in with existing ones; rather than calling attention to themselves.
- (5) Native stone and masonry should be retained on existing buildings when possible.
- (6) Missing or damaged architectural features that are to be replaced should blend with the building fabric and duplicate the old or match it as closely as possible. However, these new materials should not be antiqued or made to look old when they are not.
- (7) Retention of original historic building elements is encouraged over replacement. When replacement is required, attention should be given to matching the building's original window treatment as closely as possible.

6.7 Building Envelope Standards

**A. Main Street Mixed-Use Character Area:  
Height Specifications and Required Transitions**

**CARSON STREET: EAST SIDE**



**MAXIMUM HEIGHT**

Maximum height is 8 stories or 95 feet.

**Exception:** Maximum height on blocks between Proctor and Musser Streets and 5th and 6th Streets is 5 stories or 60 feet maximum to preserve views to Capitol.

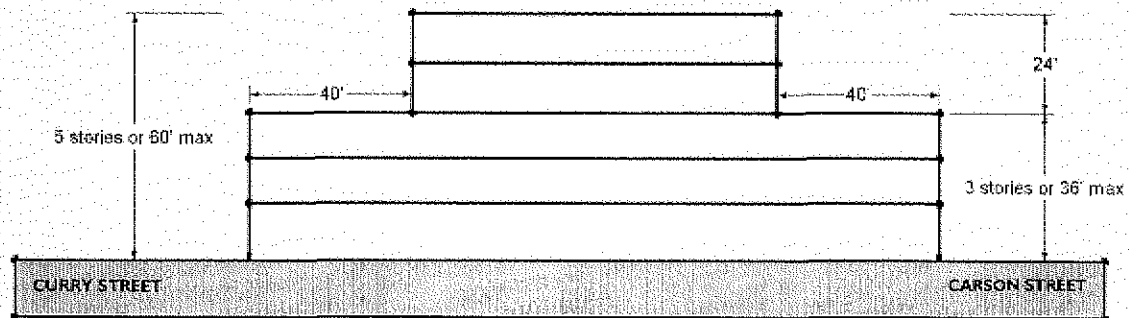
**REQUIRED TRANSITIONS: CARSON STREET**

Maximum height allowed along the Carson Street frontage is 3 stories or 36 feet. Stepback of 40 feet required before additional 24 feet may be achieved. Additional stepback of 25 feet required before maximum height may be achieved.

**REQUIRED TRANSITIONS: PLAZA STREET**

Maximum height allowed along the Carson Street frontage is 3 stories or 36 feet. Stepback of 40 feet required before additional 24 feet may be achieved. Additional stepback of 25 feet required before maximum height may be achieved.

**CARSON STREET: WEST SIDE (EXCEPT BETWEEN 3RD AND 8TH)**



**MAXIMUM HEIGHT**

Maximum height is 5 stories or 60 feet.

**REQUIRED TRANSITIONS: CURRY STREET**

Maximum height allowed along the Curry Street frontage is 3 stories or 36 feet. Stepback of 40 feet required before additional 24 feet may be achieved.

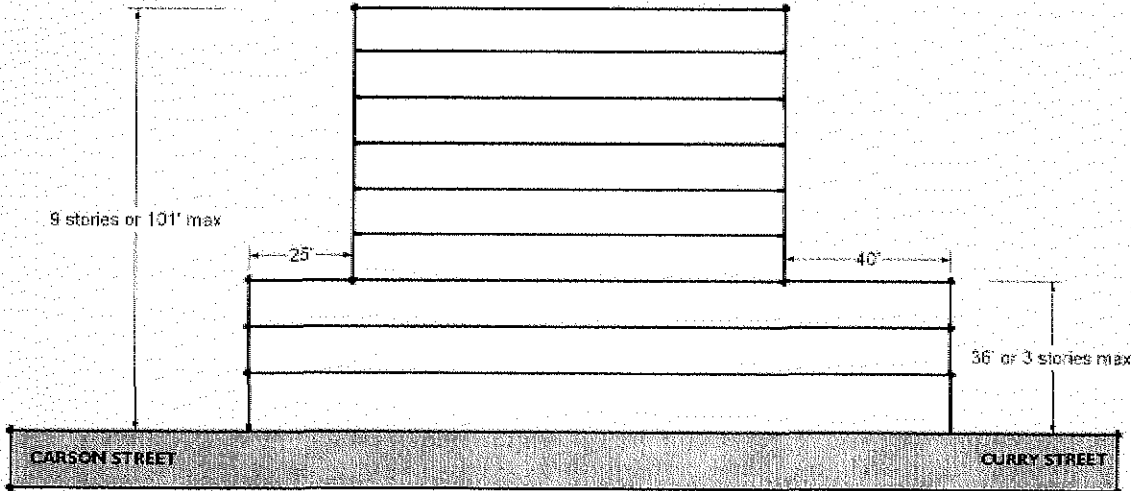
**REQUIRED TRANSITIONS: CARSON STREET**

Maximum height allowed along the Carson Street frontage is 3 stories or 36 feet. Stepback of 40 feet required before additional 24 feet may be achieved.

**Exceptions:** Between 3rd and 8th Streets additional height is permitted, see illustration on following page.

**A. Main Street Mixed-Use Character Area:  
Height Specifications and Required Transitions**

**CARSON STREET: BETWEEN 3RD AND 8TH**



**MAXIMUM HEIGHT**

Maximum height is 9 stories or 101 feet.

**REQUIRED TRANSITIONS: CARSON STREET**

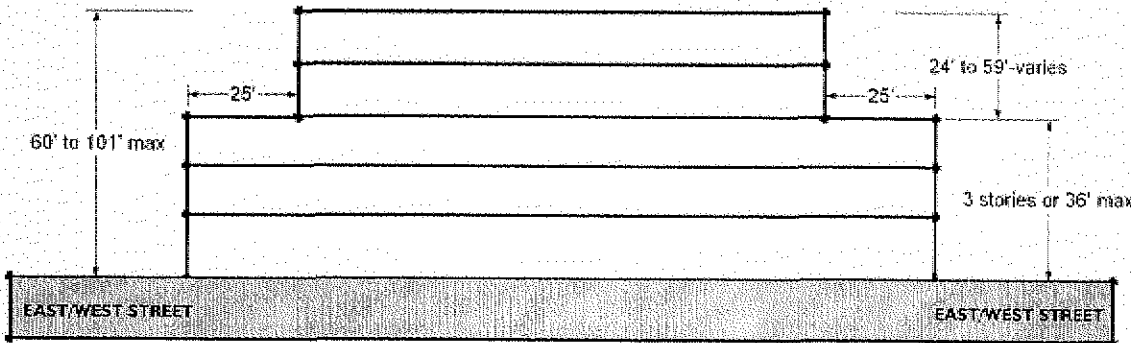
Maximum height allowed along the Carson Street frontage is 3 stories or 36 feet. Stepback of 25 feet required before maximum height may be achieved.

**REQUIRED TRANSITIONS: PLAZA STREET**

Maximum height allowed along the Carson Street frontage is 3 stories or 36 feet. Stepback of 40 feet required before maximum height may be achieved.

**ALL EAST/WEST STREETS:**

Note: Maximum height varies by Character Area



**MAXIMUM HEIGHT**

Between 60 and 101 feet depending upon Character Area.

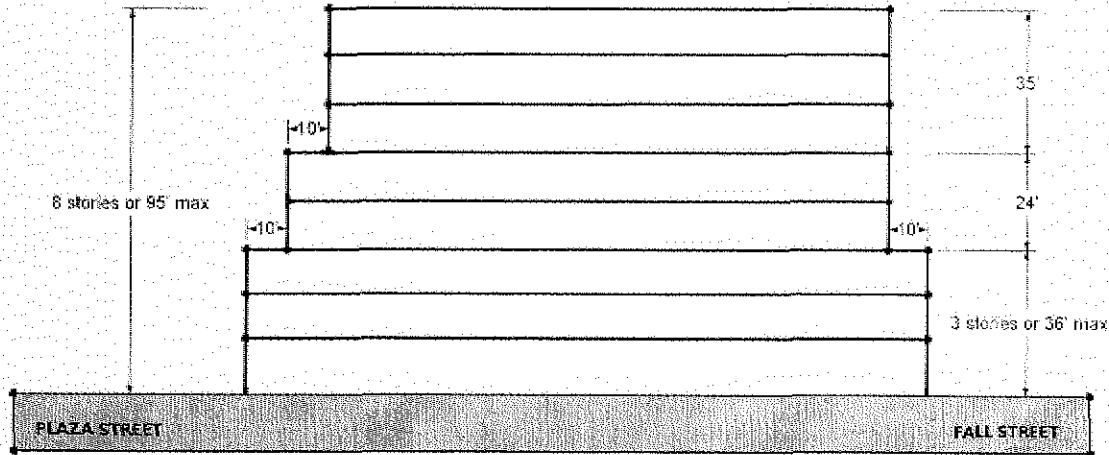
**Exception:** Maximum height on blocks east of Carson Street and between Proctor and Musser Streets or 5th and 6th Streets is 5 stories or 60 feet maximum to preserve views to Capitol.

**REQUIRED TRANSITIONS: ALL EAST/WEST STREETS**

Maximum height allowed along the Carson Street frontage is 3 stories or 36 feet. Stepback of 25 feet required before maximum height may be achieved.

## B. Urban Mixed-Use Character Area: Height Specifications and Required Transitions

### PLAZA STREET



#### MAXIMUM HEIGHT

Maximum height is 8 stories or 95 feet.

**Exception:** Maximum height on blocks between Proctor and Musser Streets and 5th and 6th Streets is 5 stories or 60 feet maximum to preserve views to Capitol.

#### REQUIRED TRANSITIONS: FALL STREET

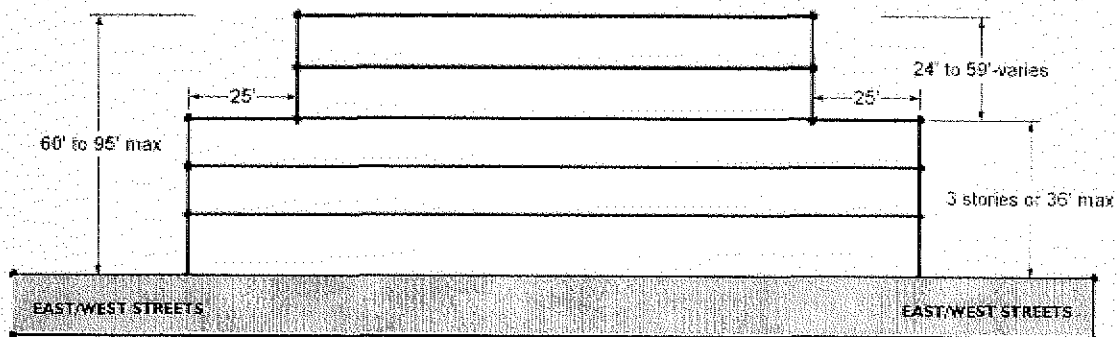
Maximum height allowed along the Fall Street frontage is 3 stories or 36 feet. Stepback of 10 feet required before maximum height may be achieved.

#### REQUIRED TRANSITIONS: PLAZA STREET

Maximum height allowed along the Plaza Street frontage is 3 stories or 36 feet. Stepback of 25 feet required before additional 24 feet may be achieved. Additional stepback of 10 feet required before maximum height may be achieved.

### ALL EAST/WEST STREETS

Note: Maximum height varies by street



#### MAXIMUM HEIGHT

Maximum height is 8 stories or 95 feet.

**Exception:** Maximum height on blocks between Proctor and Musser Streets and 5th and 6th Streets is 5 stories or 60 feet maximum to preserve views to Capitol.

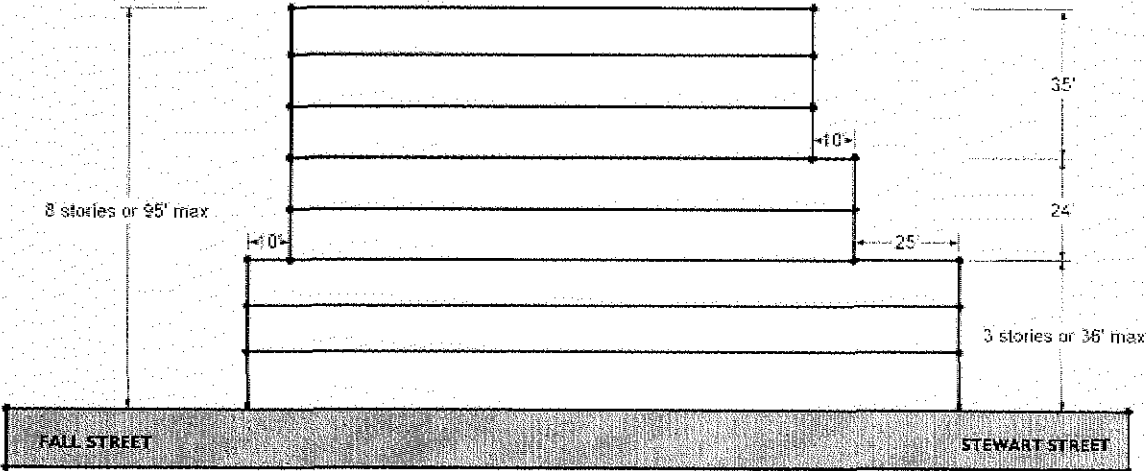
#### REQUIRED TRANSITIONS: EAST/WEST STREETS

Maximum height allowed along all east/west street frontages is 3 stories or 36 feet. Stepback of 25 feet required before maximum height may be achieved.



### B. Urban Mixed-Use Character Area: Height Specifications and Required Transitions

#### STEWART STREET



**MAXIMUM HEIGHT**

Maximum height is 8 stories or 95 feet.

**Exception:** Maximum height on blocks between Proctor and Musser Streets and 5th and 6th Streets is 5 stories or 60 feet maximum to preserve views to Capitol.

**REQUIRED TRANSITIONS: FALL STREET**

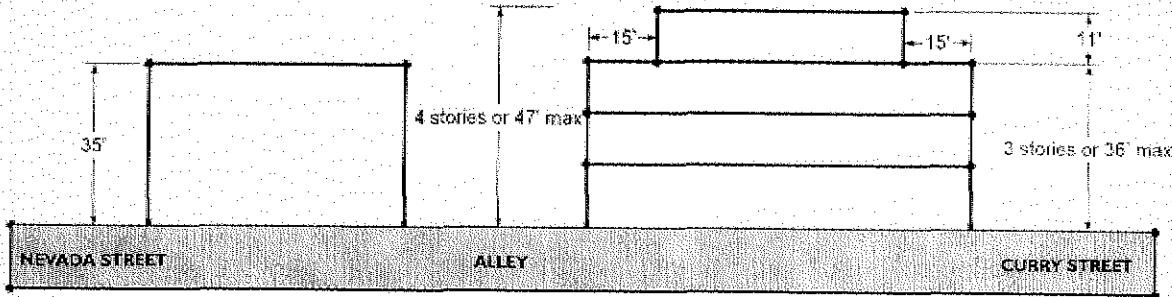
Maximum height allowed along the Fall Street frontage is 3 stories or 36 feet. Stepback of 10 feet required before maximum height may be achieved.

**REQUIRED TRANSITIONS: STEWART STREET**

Maximum height allowed along the Stewart Street frontage is 3 stories or 36 feet. Stepback of 10 feet required before additional 24 feet may be achieved. Additional stepback of 10 feet required before maximum height may be achieved.

### C. Neighborhood Transition Character Area: Height Specifications and Required Transitions

#### CURRY STREET 2ND ST TO JOHN ST



**MAXIMUM HEIGHT**

Maximum height is 4 stories or 47 feet.

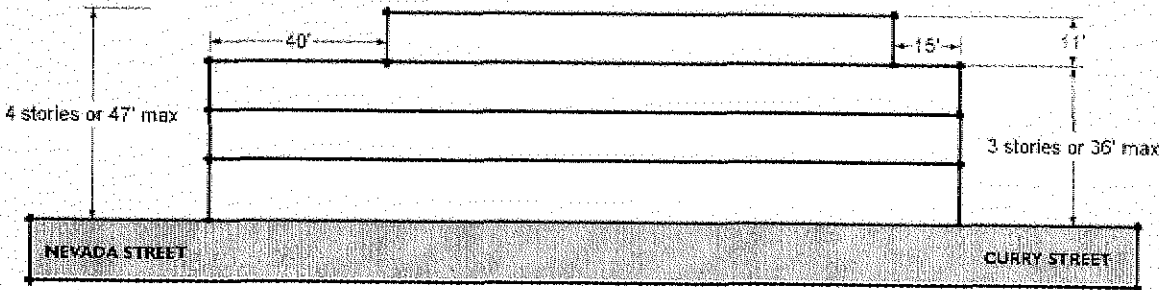
**REQUIRED TRANSITIONS: ALLEY**

Maximum height allowed along the alley is 3 stories or 36 feet. Stepback of 15 feet required before maximum height may be achieved.

**REQUIRED TRANSITIONS: CURRY STREET**

Maximum height allowed along the Curry Street frontage is 3 stories or 36 feet. Stepback of 15 feet required before maximum height may be achieved.

#### CURRY STREET: 2ND ST TO 9TH ST



**MAXIMUM HEIGHT**

Maximum height is 4 stories or 47 feet.

**REQUIRED TRANSITIONS: NEVADA STREET**

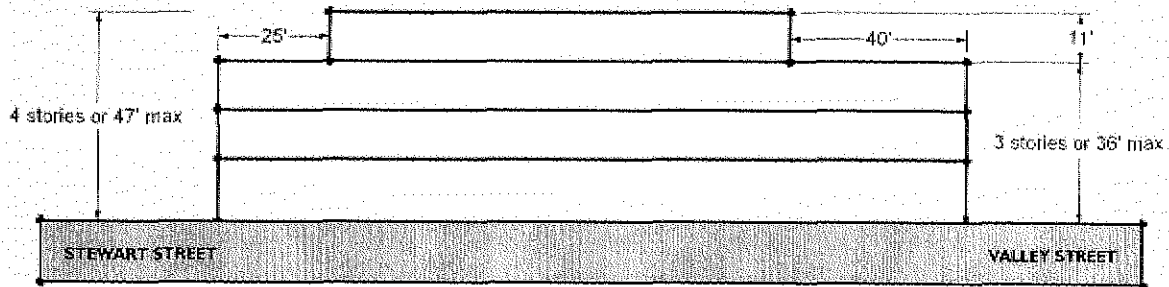
Maximum height allowed along Nevada Street frontage is 3 stories or 36 feet. Stepback of 40 feet required before maximum height may be achieved.

**REQUIRED TRANSITIONS: CURRY STREET**

Maximum height allowed along Curry Street frontage is 3 stories or 36 feet. Stepback of 15 feet required before maximum height may be achieved.

**C. Neighborhood Transition Character Area:  
Height Specifications and Required Transitions**

**STEWART STREET: MUSSER ST TO WASHINGTON ST**



**MAXIMUM HEIGHT**

Maximum height is 4 stories or 47 feet.

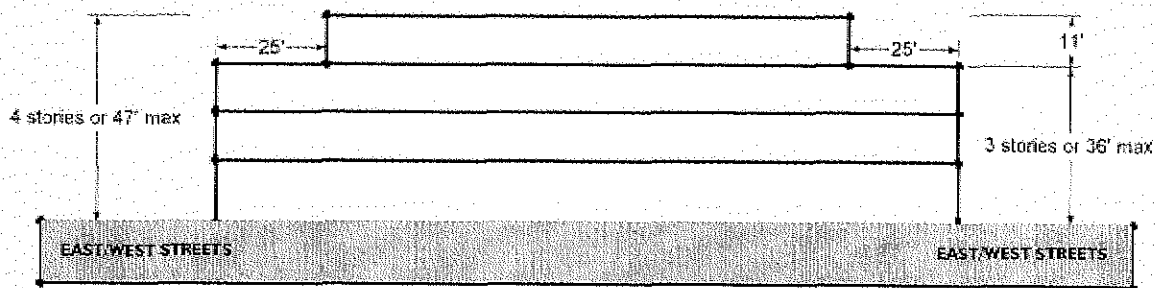
**REQUIRED TRANSITIONS: STEWART STREET**

Maximum height allowed along the Stewart Street frontage is 3 stories or 36 feet. Stepback of 25 feet required before maximum height may be achieved.

**REQUIRED TRANSITIONS: VALLEY STREET**

Maximum height allowed along the Valley Street frontage is 3 stories or 36 feet. Stepback of 40 feet required before maximum height may be achieved.

**ALL EAST/WEST STREETS**



**MAXIMUM HEIGHT**

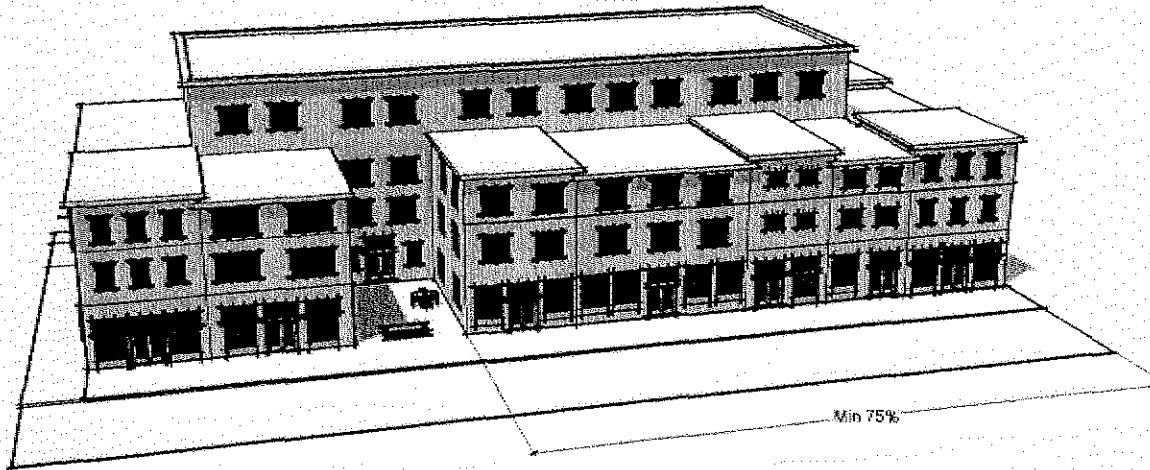
Maximum height is 4 stories or 47 feet.

**REQUIRED TRANSITIONS: EAST/WEST STREETS**

Maximum height allowed along all east/west street frontages is 3 stories or 36 feet. Stepback of 25 feet required before maximum height may be achieved.

**D. Site Layout/Building Orientation**

**MAIN STREET MIXED-USE AND URBAN MIXED-USE**



**MINIMUM STREET FRONTAGE**

A minimum of 75% of the building wall must be built to within 10 feet of the property line. Excludes public areas designated as outdoor gathering space.

**SIDE/REAR SETBACK**

None required.

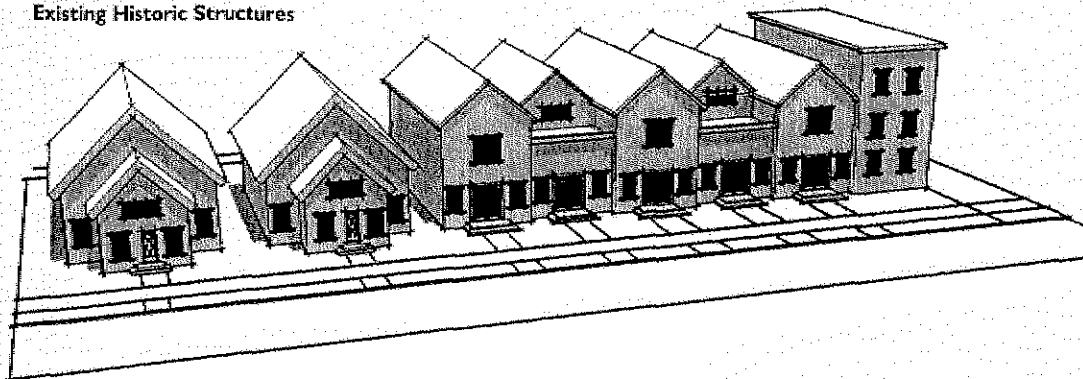
**MAXIMUM LOT COVERAGE**

None.

**NEIGHBORHOOD TRANSITION**

**Infill Development**

**Existing Historic Structures**



**SETBACKS**

None required, except where infill development occurs adjacent to historic structure, in which case, contextual setbacks shall be utilized.

**MAXIMUM LOT COVERAGE**

70 percent.

**6.8 Building Types**

**6.8.1 Applicability**

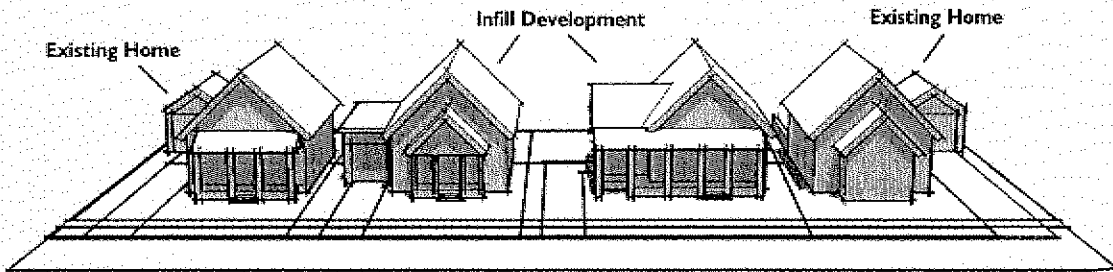
Building types desired within the Downtown Mixed-Use District can be organized into four categories based upon their scale and distinctive characteristics (e.g., urban vs. residential). One or more of the four categories of building types is permitted within each character area, as noted below. Building types are intended to be conceptual only—they do not constitute a specific design and are intended to be applied within the context of the General Development Standards and Guidelines and the Building Envelope Standards contained in this article. Building types are illustrated on the pages that follow.

**6.8.2 Building Type**

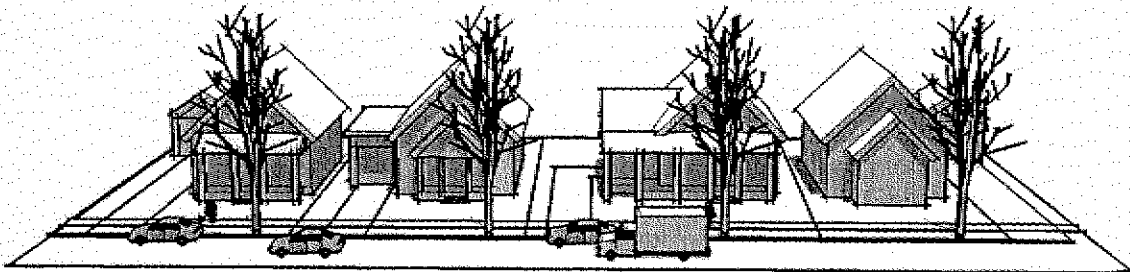
BUILDING TYPE	APPLICABLE CHARACTER AREA
A: Single Unit/Residential Character	Neighborhood Transition
B: Two or more units/Residential Character	Downtown Mixed-Use; Urban Mixed-Use; Neighborhood Transition
C: Multi-Unit/Urban Residential Character	Downtown Mixed-Use; Urban Mixed-Use
D: Mixed-Use Urban Character	Downtown Mixed-Use; Urban Mixed-Use

**Building Type: A**

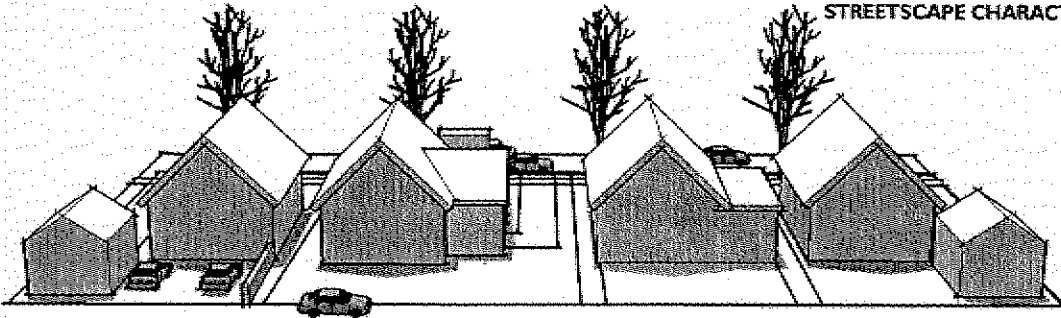
**SINGLE UNIT/RESIDENTIAL CHARACTER**



**BUILDING MASSING/FORM**



**STREETSCAPE CHARACTER**



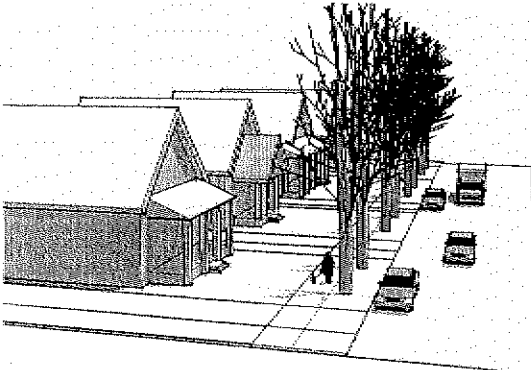
**REAR YARD W/ALLEY ACCESS**

**Characteristics**

**BUILDING MASSING/FORM**  
 Scale and massing of individual buildings is consistent with the residential character of the surrounding neighborhood context.

- STREETSCAPE CHARACTER**
- Homes separated through use of a side setback.
  - Building entrances oriented to the primary street frontage.

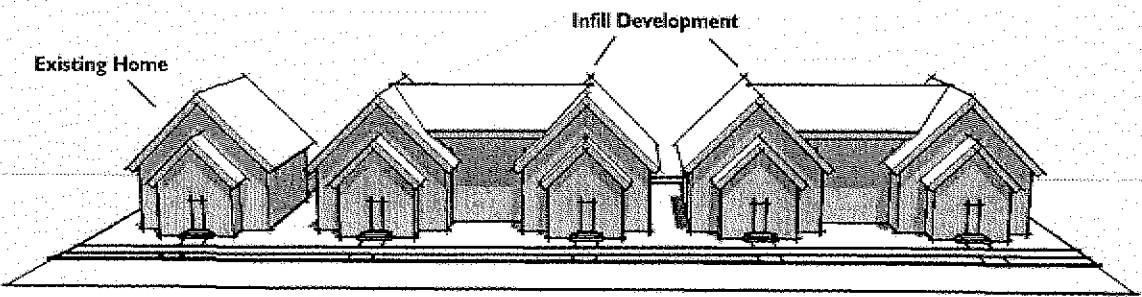
**REAR YARD W/ALLEY ACCESS**  
 Parking accommodated in enclosed garages, on-street, and/or in surface lots behind structures.



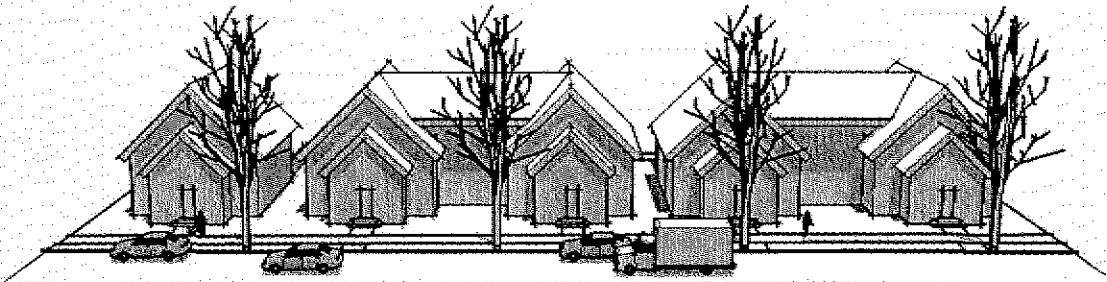
- RELATIONSHIP TO THE STREET**
- Broad front yard setback.
  - Sidewalk separated from street by planting area and regularly spaced street trees.

**Building Type: B**

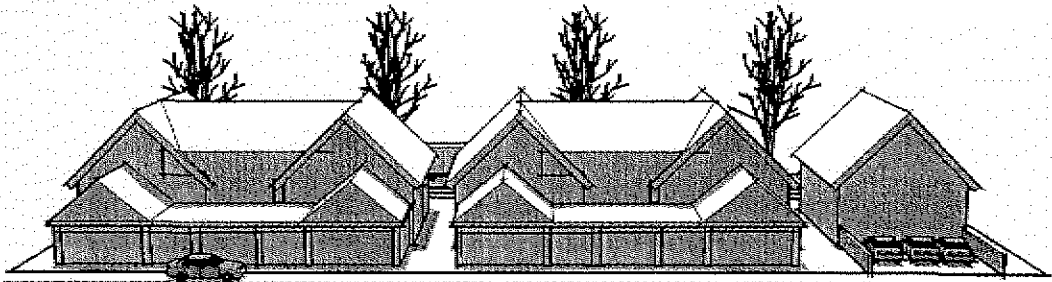
**TWO OR MORE UNITS/RESIDENTIAL CHARACTER**



**BUILDING MASSING/FORM**



**STREETSCAPE CHARACTER**



**REAR YARD W/ALLEY ACCESS**

**Characteristics**

**BUILDING MASSING/FORM**

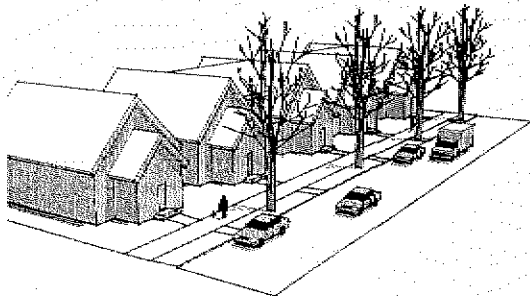
Scale and massing of multi-unit buildings designed to appear as a large single-family home when viewed from the street, allowing for the incorporation of a variety of housing types and compatible non-residential uses while protecting the residential character of the neighborhood.

**STREETSCAPE CHARACTER**

- Side setback maintained to preserve single-family character of the neighborhood.
- Building entrances oriented to the primary street frontage or a central courtyard.

**REAR YARD**

Parking accommodated in enclosed garages, on-street, and/or in surface lots behind structures (office or live/work use)

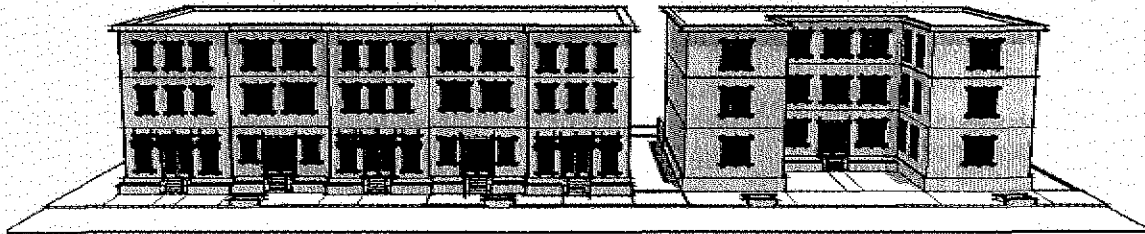


**RELATIONSHIP TO THE STREET**

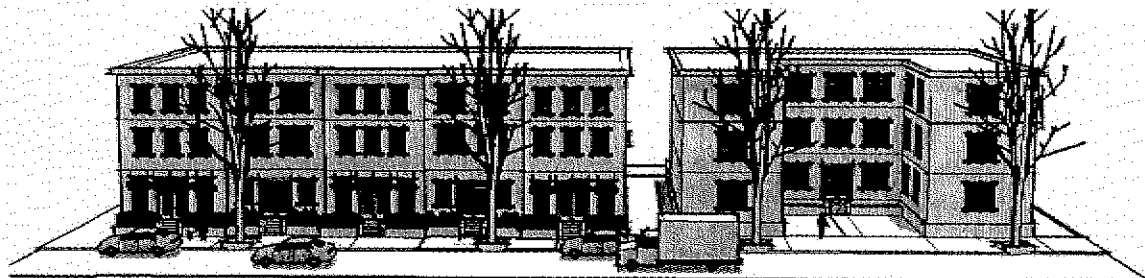
- Broad front yard setback.
- Sidewalk separated from street by a planting area and regularly spaced street trees.

**Building Type: C**

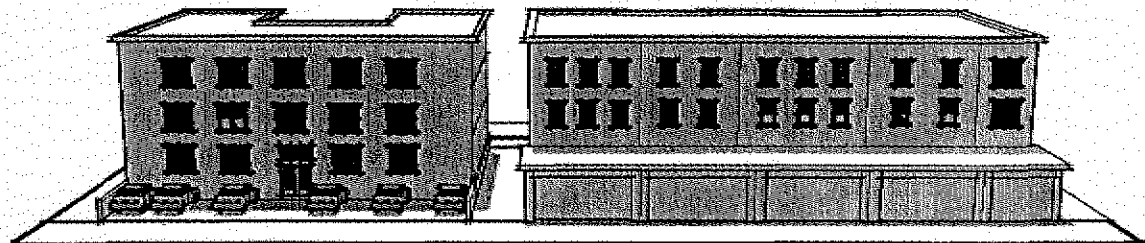
**MULTI-UNIT/URBAN RESIDENTIAL CHARACTER**



**BUILDING MASSING/FORM**



**STREETScape CHARACTER**



**REAR YARD W/ALLEY ACCESS**

**Characteristics**

**BUILDING MASSING/FORM**

Buildings are typically more blocky and urban in form than those in the Neighborhood Transition Character Area.

**STREETScape CHARACTER**

- Front facade is built to the back of streetscape edge, except where outdoor gathering spaces/community amenities are provided
- Buildings are built to side lot lines in most cases, although setbacks may be appropriate when providing transitions to a surrounding neighborhood or to an existing historic structure.
- Building entrances oriented to the primary street frontage or a central courtyard.

**REAR YARD W/ALLEY ACCESS**

Parking accommodated in enclosed garages, on-street, and/or in surface lots behind structures.



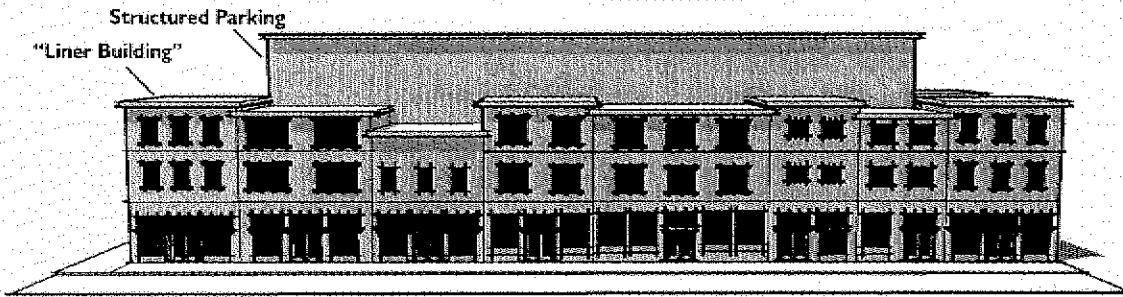
**RELATIONSHIP TO THE STREET**

- Entrances are typically raised above the sidewalk level.
- Sidewalk is wide to accommodate pedestrian traffic and street furniture.
- Street trees placed in grates or surrounded by planting areas.

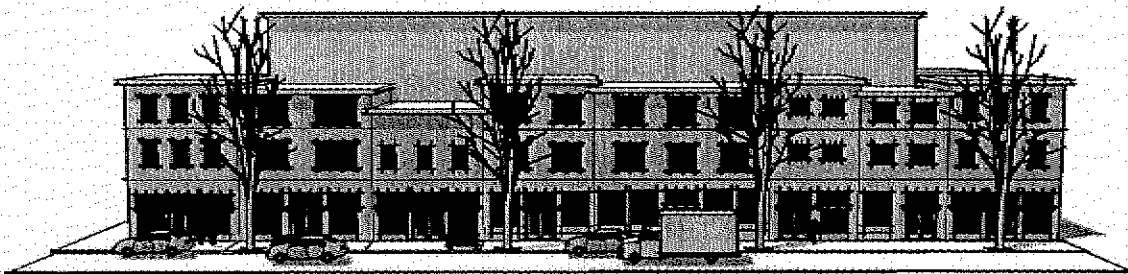


**Building Type: D**

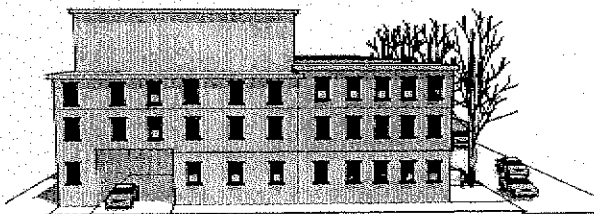
**MIXED-USE/URBAN CHARACTER**



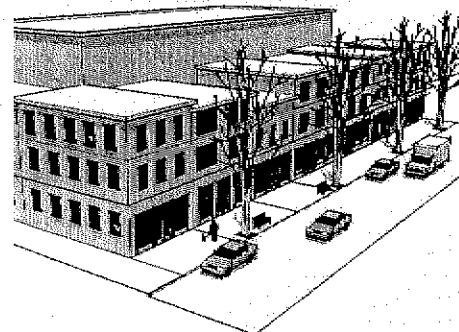
**BUILDING MASSING/FORM**



**STREETScape CHARACTER**



**STRUCTURED PARKING ACCESS**



**RELATIONSHIP TO THE STREET**

**Characteristics**

**BUILDING MASSING/FORM**

- Buildings are typically more blocky and urban in form than those in the Neighborhood Transition Character Area and may encompass all or a portion of a city block.
- Large building frontage is modulated to provide the appearance of multiple smaller buildings with varied heights and widths.
- Parking structure is "wrapped" with liner buildings along the street frontage.

**RELATIONSHIP TO THE STREET**

- Sidewalk is wide to accommodate pedestrian traffic and street furniture.
- Street trees placed in grates or surrounded by planting areas.

**STRUCTURED PARKING ACCESS**

Access to internal parking structure is provided using a side street entrance/exit.

**STREETScape CHARACTER**

- Front facade is built to the back of streetscape edge, except where outdoor gathering spaces/community amenities are provided
- Buildings are built to side lot lines in most cases, although setbacks may be appropriate when providing transitions to a surrounding neighborhood or to an existing historic structure.
- Building entrances oriented to the primary street frontage.



**APPEAL PROCESS MENTIONED AS PART OF THE RECORD**

**MOTION WAS MADE TO RECOMMEND APPROVAL**

**[x] WITH THE FINDINGS AND CONDITIONS OF THE STAFF REPORT AS MODIFIED**

**MOVED: Mullet SECOND: Semmens PASSED:   7  /AYE   0  /NO     /DQ     /AB**

**SCHEDULED FOR THE BOARD OF SUPERVISORS**

**DATE: July 19, 2007**

STAFF REPORT FOR PLANNING COMMISSION MEETING OF JUNE 27, 2007

FILE NO: ZCA-07-057

AGENDA ITEM: H-10

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

REQUEST: An ordinance amending various provisions of Title 18 of the Carson City Municipal Code to adopt new **Downtown Mixed-Use Development Standards**.

APPLICANT: Carson City Planning Division

**RECOMMENDED MOTION:** "I move to recommend to the Board of Supervisors approval of ZCA-07-057, an ordinance amending the Carson City Municipal Code, Title 18, Zoning, portions of Chapter 18.03, Definitions, Chapter 18.04, Use Districts, Chapter 18.07, Downtown Business District, and Chapter 18.16, Development Standards, as published on the agenda, to replace the existing Downtown Business District standards with standards for the new Downtown Mixed-Use zoning district relating to height, parking, setbacks, signs and other design requirements, based on the findings contained in the staff report."

## DISCUSSION

The proposed ordinance, including the creation of a new Downtown Mixed-Use (DT-MU) zoning district, is intended to implement the goals and policies of the Carson City Master Plan related specifically to the downtown area. This code amendment is recommended in conjunction with the adoption of the Downtown Mixed-Use zoning district (ZMA-07-084) which is under consideration concurrently with this application. The adoption of the DT-MU zoning district and development of specific downtown design standards is a top priority identified in the Master Plan Action Plan. A consolidated Downtown Mixed-Use Zoning District Development Code was presented to the public and the Planning Commission for review and comment in April.

The proposed standards affect numerous portions of the Title 18. Therefore, the ordinance includes modifications to several sections of Title 18 to fully implement the DT-MU zoning district and standards. A consolidated version of the DT-MU standards will be available to the public as a consolidated summary of the various development requirements within the DT-MU zoning district.

### Master Plan Consistency

The proposed DT-MU development standards are intended to implement the goals and policies of the Master Plan. The Master Plan provides direction with regards to numerous considerations in adopting standards for the Downtown Mixed-Use zoning district, and the standards within the proposed ordinance are based upon the stated goals and policies. Following is a summary of the goals and policies that support and are implemented by the adoption of the DT-MU Development Standards:

Master Plan Action Plan – The creation of the DT-MU zoning district and associated development standards is identified as one of the top five Priority Actions.

Goal 2.1 – Encourage diversity in citywide land use mix.

Policy 2.1b, Mixed-Use Development – Encourage mixed-use development patterns along major corridors, downtown, and in other locations identified on the Land Use Map.

Goal 2.2 – Expand Housing Variety

Policy 2.2b – Mixed Use Development – Encourage the incorporation of complementary attached housing types in conjunction with employment and commercial uses as supported by the Downtown Mixed-Use land use categories.

Chapter 3, Land Use Policies

DT-MU 1.2, Characteristics – The DT-MU designation is intended to allow for and encourage a broader mix of uses than exist today with the Downtown while respecting its historic context and creating an inviting, pedestrian-friendly environment.

DT-MU 1.3, Density Range – The DT-MU designation is intended to encourage a more compact, urban pattern of development than that which exists in some areas of Downtown today.

DT-MU 1.4, Location – The proposed DT-MU boundary matches that identified in the Master Plan.

DT-MU 1.5, Mix of Uses – DT-MU development should include an integrated mix of civic, cultural, retail, restaurant, casino, entertainment, office and residential uses.

DT-MU 1.6, Adaptive Reuse – The adaptive reuse of existing structures is strongly encouraged. (The code provides for regulations, particularly with regards to parking requirements, to make it easier to change uses within existing buildings.)

DT-MU 1.7, Public Parking – The City will ensure that adequate public parking is provided to meet the needs of existing and new development. (The Downtown Parking Strategy has been completed and used to establish parking requirements for new development and to identify implementation measures for the city to improve current and future parking conditions.)

DT-MU 1.8, Relationship to Surrounding Development – Development should transition to a smaller scale at the periphery of Downtown. (The proposed code requires “stepped down” height transitions at the edges of the DT-MU district.)

DT-MU 1.9, Public Spaces – The incorporation of public gathering spaces, such as outdoor plazas, pocket parks and other amenities is encouraged to enhance the pedestrian environment. (Such spaces are required with development per the proposed code.)

Chapter 5, Economic Vitality

Goal 5.6 – Promote Downtown Revitalization

Policy 5.6s, Downtown Revitalization – Establish additional incentives (e.g. density bonuses, and expanded range of permitted uses, or reduced parking requirements) that complement existing redevelopment tools.

Policy 5.6c, Downtown Housing – Encourage the incorporation of additional housing in and around Downtown to establish a mixed-use environment that encourages around-the-clock activity, supports Downtown businesses, and promotes the perception of Downtown as a safe, vibrant and inviting urban neighborhood.

Chapter 6, Livable Neighborhoods and Activity Centers

Goal 6.1, Promote High Quality Development

Policy 6.1a, Durable Materials – Require the use of durable, long-lasting materials for all development.

**Goal 8.1, Promote Downtown Revitalization**

**Policy 8.1a, Mix of Uses** – The integration of a broader mix of uses (including housing) is encouraged throughout the Downtown area.

**Policy 8.1b, Scale of Development** – Provide height transitions consistent with the “Downtown Character Area” descriptions in the Master Plan. (The code incorporates such height limits and transitions.)

**Policy 8.1c, Enhanced Pedestrian Environment** – Identify necessary streetscape enhancements and parking strategies to coincide with the reduction of lanes on Carson Street. (While the proposed code does not fully address right-of-way improvements, it provides guidelines for the use of sidewalk space associated with development.)

**Policy 8.1d, Public Spaces/Recreational Amenities** – The incorporation of public gathering spaces is encouraged to enhance the pedestrian environment within Downtown. (Such spaces are required with development per the proposed code.)

**Policy 8.1e, Large Scale Infill/Redevelopment** – Large-scale infill and redevelopment projects that involve the consolidation of multiple blocks should be given careful consideration to ensure they are designed to complement Downtown’s urban, pedestrian-friendly context by incorporating clear pedestrian connections to the surrounding area, establishing strong relationships between buildings and street, and to minimize the impacts of parking on primary street frontages. (The code provides for maximum permitted block sizes. Where street abandonments are proposed to facilitate any development, the Planning Commission can consider these issues when evaluating a project.)

**Summary of Proposed Ordinance**

As noted above, several sections of Title 18 are affected by the adoption of the new DT-MU zoning district and associated development standards. Generally, the Downtown Development Standards include provisions for all aspects of development including permitted uses, height, setbacks, parking requirements and other design guidelines and requirements. Some sections relating to the replacement of the Downtown Commercial zoning district with the DT-MU zoning district are replaced in their entirety while other sections are only slightly modified for the new standards. Following is a brief summary of the proposed ordinance changes as presented in each section of the attached draft ordinance (Attachment 1).

**Section I – Chapter 18.03, Definitions**

The ordinance amends the definitions of “Retail Sales” and “Secondhand Business” pursuant to prior discussion with the Planning Commission. Specifically, the definition of Retail Sales is changed to include “Secondhand Dealers,” which are defined distinctly different from Second Businesses. The intent is to allow specialty shops selling a single commodity of used goods such as used book stores or clothing consignment shops while distinguishing a Secondhand Dealer, who accept donations or sell general used merchandise, as a separate use. Note that Antique Shops are already defined separately. Staff believes that Secondhand Dealers are a good fit in all commercial areas, including the downtown, and are a compatible use with other retail businesses.

**Section II – 18.04.010, Districts Established**

This modification establishes the Downtown Mixed-Use zoning district within Title 18, replacing the existing Downtown Commercial zoning district and Downtown Business District zoning overlay district.

Section III – 18.04.125, Downtown Commercial Use District

This section establishes the permitted uses within the DT-MU zoning district, which replaces the existing Downtown Commercial zoning district. Of note are the numerous uses that are presently conditional uses (requiring a Special Use Permit) moving to primary permitted uses. Many of these uses are permitted in other commercial districts and staff believes these uses fit well in the proposed DT-MU district. Additionally, a few uses, such as "Carpet and Floor Covering, Retail," "Dry Cleaning," "Office Supply," "Veterinary Clinic" and others fall under the permitted uses of "Retail Sales" or "Personal Service" and are, therefore, deleted from the conditional use tables to become permitted uses.

Section IV – 18.04.195 – Non-Residential Intensity and Dimensional Standards

This section of the code establishes permitted lot size, height and setbacks for all non-residential zoning districts. The modifications refer to the DT-MU Development Standards for specific setback and height requirements, as they are dependent upon location within the DT-MU district.

Section V – Chapter 18.07, Downtown Business District

This section provides for the development process requirements within the DT-MU district, which replaces the current Downtown Business District. The modifications represent a shift from having a Hearings Examiner review all development proposals at a public hearing to an administrative review of building permits for development within the Downtown.

Section VI – Development Standards Division 2, Parking

Division 2 establishes parking requirements for uses throughout the city. The modification includes a reference to the DT-MU Development Standards for specific parking requirements within that zoning district. Current parking requirements are established by the specific use and are designed for current "suburban" development patterns. The proposed DT-MU Development Standards provide for more general use categories for parking demand and are intended to facilitate a more urban development pattern.

Section VII – Development Standards Division 6, Downtown Business District

This section is being replaced in its entirety by the new development standards for the DT-MU district. This section contains all the design-oriented standards for development within the DT-MU district. For ease of reference, some aspects of the code are duplicated, such as applicability, exemptions and permitted uses. Where this occurs, the language within the Development Standards is consistent with the requirements of other portions of Title 18.

Two changes from the draft standards reviewed by the Planning Commission in April 2007 should be noted based upon public comment previously received from property owners within the DT-MU district:

1. In Section 6.6.1, the maximum block size was increased from 400 feet to 420 feet to account for actual block sizes.
2. The requirement of a Special Use Permit for all internally lit cabinet signs or electronic readerboard signs was removed. Staff believes that the current sign regulations adequately address these issues in limiting permitted sign area and requiring Special Use Permits based upon sign size or the number of freestanding signs.

**REDEVELOPMENT ADVISORY CITIZENS COMMITTEE RECOMMENDATION:** On June 13, 2007, the RACC recommended approval of the proposed DT-MU Development Code on 6-0 vote.

**PUBLIC COMMENTS:** Public notices were published in the newspaper for the Zoning Code Amendment in accordance with the provisions of NRS and CCMC 18.02.045. Additionally, notices were mailed to 375 property owners within the proposed DT-MU zoning district and within 300 feet of the subject parcels for the associated Zoning Map Amendment, ZMA-07-084. The notice included information on how to obtain copies of the DT-MU documents, including directing property owners to the Planning Division website where the documents can be downloaded. As of June 15, 2007, no written comments have been received either in support or opposition of this application. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division. (Note: Notices were also sent to the same property owners to solicit public comment for the previous discussion on the item at the April Planning Commission meeting. Two written comments were received, both in support of the DT-MU Development Standards with recommended modifications.)

**OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:**

The Engineering Division, Building Division and Fire Department submitted written comments with no specific concerns regarding the proposed amendment. No other city department comments were received.

**LEGAL REQUIREMENTS:** CCMC 18.02.050 (Review); 18.02.075 (Zoning Code Amendments).

**FINDINGS:** Staff recommends the following findings for approval pursuant to the Carson City Municipal Code Section 18.02.075(5), Zoning Map Amendments.

1. ***The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan.***

Rationale: The proposed Zoning Code Amendment is intended to implement the goals and policies of the adopted Master Plan as specifically noted in discussion above within this staff report. The proposed amendment provides for a mix of uses while promoting the economic vitality and sustainability of Downtown Carson City.

2. ***The proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.***

Rationale: The proposed DT-MU zoning district includes standards and provisions to provide for compatibility with surrounding properties, including height transitions to protect the character of surrounding neighborhoods. The proposed uses within the DT-MU zoning district include similar uses to those allowed in the existing Downtown Commercial, General Commercial, Retail Commercial and General Office zoning district, and the proposed DT-MU district boundary includes properties that are already zoned for commercial uses.

3. ***The proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.***

Rationale: The proposed amendment is within an urban service area with existing services and is centrally located within Carson City. Any applicable city services can be easily provided to the area. Additionally, current growth management practices within the city limits and minimizes the potential impacts of the development, and necessary city services will be upgraded or improved, as



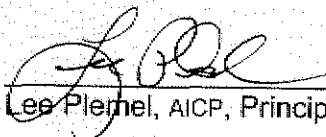
necessary, with any construction of projects. Therefore, the proposed amendment would have no adverse impact on the public health, safety or welfare.

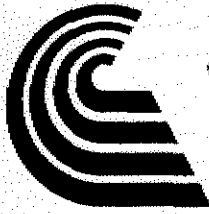
Attachments:

- 1) Draft ordinance

Respectfully submitted,

PLANNING DIVISION

  
\_\_\_\_\_  
Lee Plemel, AICP, Principal Planner



**CARSON  
CITY AREA  
CHAMBER of  
COMMERCE**

June 13, 2007

John Peery, Chairman  
Mark Kimbrough, Vice Chairman  
Connie Bisbee  
William Vance  
Craig Mullet  
Steve Reynolds  
Roy Semmens

Dear Commissioners:

By the fall of 2008, downtown Carson City will experience a new way of doing business when the I-580 By-Pass is complete to Fairview. Heavy traffic will be diverted from the downtown core which can be a double-edged sword. It will be incumbent upon us to work together to develop a true destination that will pull cars off the by-pass for a Carson City experience.

The Carson City Area Chamber of Commerce fully supports the Carson City Downtown Mixed Use Zoning District Development Code proposed by the Carson City Redevelopment Authority and the Planning Department.

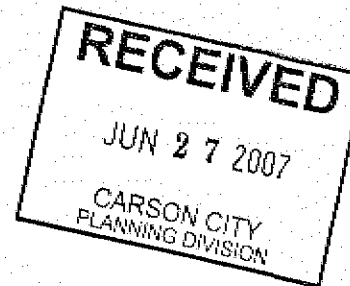
The codes are clear and unencumbered and should allow business to flourish with a more efficient governmental oversight. We need to continue to make it as easy as possible for businesses to locate to the downtown core while maintaining the look and feel that will make Carson City unique and a "must stop" destination.

The Chamber will continue to work closely with the Economic Development Department to assure a viable commercial core for our downtown.

Cordially,

Ms. Ronni Hannaman  
Executive Director  
director@carsoncitychamber.com

June 25, 2007



To Whom It May Concern:

After reviewing the document presented to us at the May 1 Downtown Business Association Meeting, we have a very favorable opinion. We commend the various individuals who have been instrumental in generating the new guidelines and look forward to its implementation.

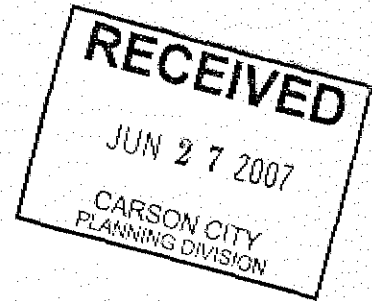
There was one item that we did not like, however. There are a lot of approved business types. And some that are prohibited. The problem we have is one of the prohibited types of business is simply described as "second hand store". This label is confusing because currently, and in the recent past, the downtown has been home to antique shops, consignment boutiques, and vintage clothing stores. These types of shops often sell used or "second hand" goods. We suspect, however, that the verbiage in the guidelines is NOT meant to prohibit these types of shops. Indeed, antique stores are a popular tourist destination and provide a certain charm to the area.

Our concern is that the term "second hand store" is sufficiently vague to allow problems should someone at some point in the future wish to prevent a particular shop from opening up. Thus, it would be helpful to provide a more specific label as to what types of "second hand" stores are unacceptable. For example, if the guidelines mean to prohibit "second hand" stores such as charity-based thrift stores or dollar stores, then we feel the language should specifically say "thrift store" and "99¢ type store". The new document is amazingly free of legalese and government jargon and requiring a potential business owner to look into another code to determine the meaning of "second hand store" is unnecessary. We feel that being more specific in the description would make the document better.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary L. Cain".

Gary L. Cain  
President, Downtown Business Association



June 26, 2007

To: Carson City Planning Commission  
Re: Carson City Downtown Mixed Use Zoning District Development Code

Dear Commission Members:

The Carson City Convention & Visitor Bureau Board of Directors has reviewed the proposed code changes and would like to commend all those involved in this process. A revitalized downtown is vital to Carson City's tourism product and will be the centerpiece of our branding and marketing efforts.

When Roger Brooks, of Destination Management, conducted our tourism assessment last October his biggest criticism was lack of way finding signage and an easily identifiable image. "I'm not sure who you want to be" he stated in his assessment report. The new Master Plan addresses many of his concerns and will give us a downtown we can all be proud of as well as market to our potential visitors.

Mr. Brooks has seen the plan and has expressed some concern over the planned parallel parking as opposed to angle parking. Members of this Board have also expressed a concern that parallel parking will not be as visitor friendly.

Thank you for including us in this process we look forward to our new and improved downtown corridor.

Sincerely,

Candace Duncan  
Executive Director



# CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL  
DEVELOPMENT SERVICES

## MEMORANDUM

**TO:** Planning Commission

**FROM:** Development Services, Planning Division

**DATE:** June 27, 2007

**SUBJECT:** Item H-10 – ZCA-07-057 – Downtown Mixed Use Code Amendment

Based upon discussions with the District Attorney's office after their final review of the proposed Downtown Mixed-Use Development Code and upon further consideration, staff recommends that the Planning Commission include the following amendments to the draft code in their motion for approval (Commission packet page numbers and ordinance page numbers are referenced to direct you to the applicable sections):

- Pg. 10-13 (ordinance pgs. 4-7), Permitted Uses: Instead of requiring a Special Use Permit for all Drive-Through uses, require it only for Drive-Through Restaurants.

*Staff comment: The elderly and disabled often rely on drive-throughs at banks and pharmacies. The purpose is primarily to curtail fast-food drive-throughs to minimize driveway cuts and encourage a more pedestrian-friendly environment.*

- Pg. 16 (ord. 10), 18.07.015, Exemptions: Delete #3 giving the Director the authority to approve exemptions for HRC recommendations that do not comply with the DT-MU Code. This would require a project within the Historic District that does not meet the DT-MU Code standards to go to the Planning Commission just as with other development projects.

*Staff comment: There is presently no such exemption in the code. At the advice of the DA, the HRC or the Director do not have the authority to grant variances to the standards, especially without specific criteria. Deviations to the code should go to the Planning Commission for its review.*

- Pg. 19-20 (ord. 13-14), 2.2 Number of [Parking] Spaces Required, 2nd paragraph, modify as follows:

These parking requirements are mandatory for the various buildings and uses irrespective of the zoning districts in which they occur, except as otherwise noted in this section. ~~[-except existing uses within existing buildings in the downtown area shall be exempted from said requirements. When higher occupancy uses are developed within existing downtown buildings, the following parking ratios shall apply. Within the Downtown Business District of the Redevelopment District, properties may be given~~

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~~parking waivers for new uses by the Redevelopment Authority Citizens Committee. Parking waivers may only be granted for the first 50 required parking spaces. As individual redevelopment district properties are added to the Downtown Business District, they shall be eligible to apply for parking waiver consideration.]~~

*Staff comment: The first part of this paragraph was an oversight in that the current language regarding downtown parking requirements should have been deleted in favor of the new standards, which are referenced later in the section. Regarding the RACC's ability to grant waivers, one of the purposes of the new standards was remove the RACC from granting waivers while providing more appropriate standards for change of uses within buildings and more comprehensive parking standards, in general. The DA has a concern that the RACC should really not have the authority to grant such waivers in the first place. The Redevelopment Manager concurs with this recommendation.*