



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: August 3, 2017

Staff Contact: Lee Plemel, Community Development Director

Agenda Title: For Possible Action: To introduce, on first reading, Bill No. ____, an ordinance relating to marijuana; amending Title 18 (Zoning) of the Carson City Municipal Code to establish various provisions to allow marijuana retail stores as a conditional use within the General Commercial and General Industrial zoning districts located within certain areas of Carson City; to establish various provisions to allow marijuana cultivation establishments, marijuana product manufacturing establishments and marijuana testing laboratories as a conditional use within the General Industrial and General Industrial Airport zoning districts located within certain areas of Carson City; to establish various provisions to allow marijuana distributors as a conditional use within the Limited Industrial, General Industrial and General Industrial Airport zoning districts; and to revise certain provisions relating to development standards concerning land use and site design governing medical marijuana establishments to include marijuana establishments. (Lee Plemel, lplemel@carson.org)

Staff Summary: The Board of Supervisors gave direction to staff to draft zoning regulations for recreational marijuana establishments or “marijuana establishments” that generally follow the current zoning regulations for medical marijuana establishments. The proposed ordinance would implement such regulations by amending applicable sections of Title 18, Zoning, Section 18.03 (Definitions), 18.04 (Use Districts), 18.04.135 (General Commercial), 18.04.145 (Limited Industrial), 18.04.150 (General Industrial), 18.04.152 (General Industrial Airport), and Title 18 Development Standards, Division 1.20 (Medical Marijuana Establishments and Marijuana Establishments)

Agenda Action: Ordinance - First Reading

Time Requested: 90 minutes

Proposed Motion

I move to introduce, on first reading, Bill No. ____, an ordinance relating to marijuana; amending Title 18 (Zoning) of the Carson City Municipal Code to establish various provisions to allow marijuana retail stores as a conditional use within the General Commercial and General Industrial zoning districts located within certain areas of Carson City; to establish various provisions to allow marijuana cultivation establishments, marijuana product manufacturing establishments and marijuana testing laboratories as a conditional use within the General Industrial and General Industrial Airport zoning districts located within certain areas of Carson City; to establish various provisions to allow marijuana distributors as a conditional use within the Limited Industrial, General Industrial and General Industrial Airport zoning districts; and to revise certain provisions relating to development standards concerning land use and site design governing medical marijuana establishments to include marijuana establishments.

Board's Strategic Goal

N/A

Previous Action

July 6, 2017: The Board of Supervisors considered public testimony and gave direction (by a 3-2 vote) to staff to draft zoning regulations for marijuana establishments that generally follow the current zoning regulations for medical marijuana establishments.

July 26, 2017: The Planning Commission recommended approval of the proposed ordinance by a vote of 5-1 (1 vacancy).

Background/Issues & Analysis

The Regulation and Taxation of Marijuana Act, the Act to legalize recreational marijuana, was passed by Nevada voters during the general election on November 8, 2016. The Nevada Department of Taxation has adopted temporary regulations for existing, operational Medical Marijuana Establishments (MMEs) to submit applications to begin selling recreational or “retail” marijuana as of July 1, 2017, in accordance with the provisions of SB 487 adopted during the 2017 Nevada Legislature session. Final State regulations are scheduled to be adopted to allow additional marijuana establishments to apply by early 2018.

At the direction of the Board of Supervisors, staff has drafted zoning regulations for recreational marijuana establishments (“Marijuana Establishments” or “MEs”) that generally follow the existing regulations for Medical Marijuana Establishments (MMEs). These regulations include the following:

- New definitions for Marijuana Establishments, including Marijuana Distributors, which are established and defined by the Regulation and Taxation of Marijuana Act and are licensed to transport marijuana between MEs.
- Adding Marijuana Retail Stores as a conditional use in the same zoning districts and locations as existing Medical Marijuana Dispensaries, including limiting the number of Marijuana Retail Stores to two as with Dispensaries and requiring Retail Stores to be co-located with Dispensaries. This limitation would effectively limit Marijuana Retail Stores to the locations of the two existing Medical Marijuana Dispensaries for as long as they continue to operate at those locations. (State law allows up to four Marijuana Retail Stores in cities with a population over 55,000, including Carson City.)
- Adding Marijuana Cultivation, Product Manufacturing and Testing Facilities as a conditional use in the General Industrial and General Industrial Airport zoning districts, limited to certain areas the same as similar MMEs.
- Adding Marijuana Distributors as a conditional use in the Limited Industrial, General Industrial and General Industrial Airport zoning districts (similar to liquor distributors, who are allowed by State regulations to be licensed to distribute marijuana). (Marijuana Distributors are a new category of marijuana establishment created by the 2017 Legislature.)
- Adding Marijuana Establishments to the list of uses that are required to comply with the existing Development Standards established for MMEs.

Refer to the attached ordinance for the details on the proposed zoning regulations related to Marijuana Establishments. Also refer to the attached maps showing the areas in which the various types of Marijuana Establishments would be permitted under the proposed ordinance.

The Board of Supervisors will also be considering an ordinance related to Business License regulations (Title 4) for Marijuana Establishments in conjunction with the proposed zoning ordinance. State legislation adopted this year authorizes a city or county to impose a business license fee of up to 3% of the facility’s gross revenues, which is recommended should the Board of Supervisors approve this zoning ordinance.

REQUIRED FINDINGS:

The Board of Supervisors must make the findings found in CCMC 18.02.075(5) in the affirmative in approving a Zoning Code Amendment (Title 18 ordinance). The following findings are recommended by the Planning Commission:

1. *That the proposed amendment is in substantial compliance with and supports the goals and policies of the Master Plan.*

The proposed project is consistent with the following applicable goals of the Master Plan: Goal 2.3 – Provide opportunities for a range of retail services. The State has authorized MEs as a legal use in Nevada and in order to implement those uses in Carson City the City must amend the zoning ordinance to specifically allow them and provide for any applicable regulations. The proposed uses are not in direct conflict with any goals or policies of the Master Plan.

2. *That 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.*

The proposed ordinance, in conjunction with the State regulations for operating MEs, requires that MEs have a similar appearance to and operate similar to pharmacies and medical offices. The ordinance would allow for MEs only in those areas zoned appropriately for higher intensity commercial and industrial uses, so the proposed land uses will be very similar to surrounding uses permitted in those zoning districts. With the required appearance and security standards that will have to be implemented with the development of any ME, the proposed land uses will be compatible with other properties in the vicinity.

3. *That 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.*

The proposed uses will not negatively impact existing or planned public services in that adequate water and sewer services exist to accommodate such uses, such uses will be limited in number, and the uses will be similar to other permitted uses such as pharmacies and manufacturing. The uses will not generate traffic dissimilar from other commercial or manufacturing uses. The proposed standards in the Carson City Municipal Code and the State regulations for MEs are intended to ensure that the proposed uses do not adversely impact the public health, safety, and welfare, including specific building security measures and marijuana product inventory controls.

Contact Lee Plemel at 283-7075 or lplemel@carson.org if you have any questions regarding this item.

Attachments:

- 1) Proposed ordinance
- 2) Maps of Zoning Districts where certain Marijuana Establishments would be permitted
- 3) July 6, 2017, presentations to the Board of Supervisors
- 4) Public comments

Applicable Statute, Code, Policy, Rule or Regulation

CCMC Section 18.02.075 (Zoning Text Amendments), NRS 453D, SB 487, LCB File No. T002-17

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number: N/A

Is it currently budgeted? Yes No

Explanation of Fiscal Impact: Zoning actions pursuant to NRS 278 are exempt from the requirement to approve a business impact statement. See the associated Title 4 Business License Business Impact Statement on this agenda for information regarding fiscal impacts.

Alternatives

- 1) Modify the proposed ordinance
- 2) Do not introduce the proposed ordinance amendment and bring forward an ordinance on August 17 to extend the moratorium on the acceptance of marijuana establishment applications.

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

Summary: An ordinance establishing various provisions for the location of certain marijuana establishments, other than medical marijuana establishments, within certain zoning districts.

BILL NO. ____

ORDINANCE No. 2017 - __

AN ORDINANCE RELATING TO MARIJUANA; AMENDING TITLE 18 (ZONING) OF THE CARSON CITY MUNICIPAL CODE TO ESTABLISH VARIOUS PROVISIONS TO ALLOW MARIJUANA RETAIL STORES AS A CONDITIONAL USE WITHIN THE GENERAL COMMERCIAL AND GENERAL INDUSTRIAL ZONING DISTRICTS LOCATED WITHIN CERTAIN AREAS OF CARSON CITY; TO ESTABLISH VARIOUS PROVISIONS TO ALLOW MARIJUANA CULTIVATION ESTABLISHMENTS, MARIJUANA PRODUCT MANUFACTURING ESTABLISHMENTS AND MARIJUANA TESTING LABORATORIES AS A CONDITIONAL USE WITHIN THE GENERAL INDUSTRIAL AND GENERAL INDUSTRIAL AIRPORT ZONING DISTRICTS LOCATED WITHIN CERTAIN AREAS OF CARSON CITY; TO ESTABLISH VARIOUS PROVISIONS TO ALLOW MARIJUANA DISTRIBUTORS AS A CONDITIONAL USE WITHIN THE LIMITED INDUSTRIAL, GENERAL INDUSTRIAL AND GENERAL INDUSTRIAL AIRPORT ZONING DISTRICTS; TO REVISE CERTAIN PROVISIONS RELATING TO DEVELOPMENT STANDARDS CONCERNING LAND USE AND SITE DESIGN GOVERNING MEDICAL MARIJUANA ESTABLISHMENTS TO INCLUDE MARIJUANA ESTABLISHMENTS; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 18 (Zoning), Chapter 18.03 (Definitions), Section 18.03.005 (Definitions generally) is hereby amended (**bold, underlined** text is added, ~~{stricken}~~ text is deleted) as follows:

18.03.005 – Definitions Generally.

~~[Except where specifically defined herein, all words used in this title shall carry their customary meanings as defined in Webster's dictionary. Words used in the present tense include the future, and the plural includes the singular; the word "shall" or "must" is~~

~~always mandatory; the word "may" denotes a use of discretion in making a decision.]~~ **As used in this Title and Title 18 Appendix (Carson City Development Standards), unless the context otherwise requires, the words and terms defined in CCMC 18.03.010 have the meanings ascribed to them as set forth in that section.**

SECTION II:

That Title 18 (Zoning), Chapter 18.03 (Definitions), Section 18.03.010 (Words and terms defined) is hereby amended as follows (**bold, underlined** text is added, ~~[stricken]~~ text is deleted):

18.03.010 Words and Terms Defined.

"Abandoned" means concerning a building or use, not having been developed or maintained for a stated period of time.

"Abutting commercial and industrial corridors to Carson City" means all portions of property within 200 feet from U.S. Highway 50 East; William Street; U.S. Highway 395 or Carson Street lying between the Carson City county lines and the designated Carson City redevelopment area boundary.

"Access" means a clear and unobstructed usable approach of not less than 12 foot width (residential), 15 foot width (one way commercial), or 24 foot minimum width (two-way) to a legally dedicated public way.

"Accessory building" or "accessory structure" means a detached usual and customary building or structure associated with a permitted or conditional use, subordinate to the primary use on the same lot, including but not limited to storage, tool shop, children's playhouse, guest building, greenhouse, garage, swimming pools or similar structures 30 inches or more above ground. In calculating the size of an accessory structure, any space with a ceiling 7 feet 6 inches or higher shall be considered habitable space and used in determining total size. An accessory building connected to a main building by a roof, breezeway or other means which is not habitable space is considered an accessory structure attached to a primary building. Each structure must meet standard setback requirements.

"Accessory farm structure" or "accessory farm building" means a structure or building used for the housing of farm equipment or animals usually associated with a farm, including cows, horses, chickens, pigs, sheep, etc., including, but not limited to barns and coops.

"Accessory use" means a use of the land that is associated with and dependent upon the existing permitted or conditional use of that parcel. An accessory use must not take place until the permitted or conditional use.

"Action" means the decision made by the reviewing authority on a land use application; the determination made and any conditions of approval.

"Adjacent" means, for the purposes of determining setback requirements for adjacent uses, a parcel contiguous on any side or a parcel across a public or private right-of-way or access easement. Where an adjacent parcel is located across a public right-of-way, setback requirements shall be measured from the centerline of the right-of-way.

"Adjacent" means, for purposes of determining setback requirements, a parcel contiguous on any side or a parcel across a public or private right-of-way or access easement.

"Adult day care facility" means an establishment in which supervised care is provided to adults.

"Adult entertainment facility" includes all theaters, bookstores, cabarets, model studios, out call business, video stores, or similar businesses which are established for the purpose of offering its patrons services, goods or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas." This definition does not include "adult merchandise retail establishments."

1.

For the purposes of this chapter, "specified anatomical areas" shall include exposed human genitals, pubic region, buttock and female breast below a point immediately above the areola.

2.

For purposes of this chapter, "specified sexual activities" shall include any form of actual or simulated sexual intercourse, copulation, bestiality, masochism, and fondling or touching "specified anatomical areas."

3.

No adult entertainment facility shall be located within 1,000 feet of a park, church, school, residential use district or other adult entertainment facility or in any general industrial district located west of the east boundary of Sections 21, 28 and 33 of T.16N., R.20 E., M.D.B & M., Sections 4, 9, 16, 21, 28 and 33 of T.15N., R.20 E., M.D.B & M., and Sections 4 and 9 of T.14N., R. 20 E.

"Adult merchandise retail establishment" means any establishment having up to 5 percent or 200 square feet, whichever is less, of the retail floor area of the business that is identified for the display, sale, lease or rental of books, merchandise, periodicals, video tapes, video discs, computer discs, instruments, devices or paraphernalia which are distinguished or characterized by the emphasis on matter depicting, describing or relating to "specific sexual activities" and "specific anatomical areas." The merchandise must only be available for sale or lease for private use by the purchaser or lessee off the premises of the business.

"Adult performers" means live performances, by adult persons which are characterized by either the exposure of specific anatomical areas and/or by specific

sexual activities; with specific anatomical areas and specific sexual activities being defined by subsections 1 and 2 above under "Adult Entertainment" and must only be performed in areas of Carson City in which the performances occur in compliance with subsection 3 above, under "adult entertainment facility".

"Agricultural services" means uses including, but not limited to, feed lots, poultry production, dairies, pasturage, veterinarian, other animal services and similar uses.

"Agricultural uses" means uses of the land for Christmas tree farms, truck farming, field crops, orchard crops, earthworm and grub raising, bees and animals in accord with Chapter 7.13 (Licensing and Regulations). Does not include a winery.

"Air rights" means the right to use space above ground level.

"Alley" means a public thoroughfare which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

"Allotment" means the document allowing an eligible party to obtain a building permit under the provisions of Chapter 15.01 of the code prior to the effective date of this chapter. In this chapter, allotments may also be called "old allotments."

"Alteration" means any exterior change, addition or modification in construction or occupancy.

"Ambulatory" means any person, including one who uses a cane, walker, wheelchair or other similar device, who is physically and mentally capable, under emergency conditions, of finding a way to safety without assistance. If questioned, a final decision regarding whether a person is ambulatory shall be made by the resident's physician.

"Amenity" means a natural or created feature that enhances the aesthetic quality, visual appeal, or attractiveness of a particular property, place or area.

"Amusement arcade" means a place where 3 or more coin operated machines, devices, contrivances or games are provided for public amusement.

"Amusement device" means any device which upon insertion of a coin, slug, token, plate, or disc or the payment of a consideration may be used by the public as a game, entertainment, amusement, test of skill and shall include pool tables, pinball machines, electronic games, fixed kiddie rides, mechanical bulls but shall not include radios or televisions.

"Animal boarding facility" means a structure, land or combination thereof used, designed or arranged for the boarding, breeding, and care of dogs, cats, pets, fowl, horses or other domestic animals, but exclusive of animals used for agriculture purposes.

"Animal boarding" or "kennel" is a place where dogs, cats, and other domestic animals are housed, boarded, trained and groomed.

"Animal hospital" means an establishment providing surgical, medical treatment boarding, grooming and examination of domestic pets, and entirely within a building.

"Animal shelter" means a place where animals are housed and may receive medical treatment rehabilitation.

"Animal slaughtering and processing" means a facility for slaughtering and processing of animals and the refining of their byproducts.

"Animals and fowl" means the keeping of horses, swine, fowl, sheep or other animals of a similar nature. Notwithstanding the zoning regulations of this title, the keeping of animals is regulated and further defined under Carson City Municipal Code Title 7, Animals.

"Antenna" means a device by which electromagnetic waves are sent or received (whether a dish, rod, mast, pole, set of wires, plate, panel, line, cable or other arrangement serving such purpose).

"Antiques, retail" means any building used for the sale of any old and authentic object of personal property which was made, fabricated, or manufactured 60 or more years earlier and which has a unique appeal and enhanced value mainly because of its age and in addition, may include the sale of any article of personal property which was made, fabricated or manufactured 20 or more years earlier and because of public demand has attained value in a recognized commercial market which is in excess of its original value.

"Apartment" means a room, or suite of rooms, within an apartment house which has facilities for the preparation of meals, is designed for and used or intended to be used by 1 family and is intended to be occupied on a rental basis with a rental period of at least 1 week.

"Apartment house" means a structure which contains 3 or more apartment dwelling units and which does not qualify as a condominium, townhouse dwelling or residence hotel.

"Appliances" means devices operated by electricity and designed for household use.

"Archery range" means a facility (indoor or outdoor) in which the art, skill or sport of shooting with a bow and arrow is conducted.

"Architectural feature" means a decorative element intended to enhance the character of a structure and may be an integral part of the structure. Architectural features may include, but are not limited to, porches, eaves, or freestanding forms and monuments.

"Area of site" means the total horizontal area within the property lines.

"Art gallery" means a room or building devoted to the public exhibition and related sales of "one of a kind" works of art or reproductions of "one of a kind" art. May include paintings, sculptures, pottery, quilts and other unique objects created by artisans, especially as they relate to other cultures. The intent of this definition is not to include a gift shop business.

"Art store" means a place where art merchandise and supplies are offered for sale.

"Art studio" means a studio or work space for artists or artisans, including practicing the art of fine arts or skills in an applied art or craft.

"Artist, commercial" means a creator of artistic works for monetary gain.

"Asphalt" or "concrete batch plant" means a facility or area for the mixing of concrete or asphalt.

"Assayer" means one who practices the examination and/or the analysis of something.

"Astrologer, hypnotist, or psychic art & science" means any person who practices, teaches, or professes to practice the business of astrology, hypnotism, or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy.

"Auction sales" means a sale of goods or property at which intended buyers bid against one another for individual items. Each item is sold to the bidder of the highest price.

"Automobile body repair, painting, towing service garage" means a building and premises used primarily for the commercial repair of damage to the chassis of an automobile, including major and minor collision damage, frame and panel straightening, repainting and refinishing, and similar activity.

"Automobile detailing shop" means any building or premises used for washing and cleaning of passenger vehicles.

"Automobile dealerships, new" means the use of any building, with an enclosed display area; land area, or other premises or portion thereof, for the display, sales or lease of new automobiles, trucks or vans and including warranty repair work and other repair work if the service work is conducted as an accessory use. Used car sales and recreational vehicle sales may be conducted at a lesser extent from the new automobile sales location but only as an accessory use.

"Automobile paint and body repair shop" means a facility for collision services including body, frame, or fender straightening or repair and painting of vehicles in an appropriate paint booth.

"Automobile parking lot" or "garage" means all areas devoted to off-street parking spaces shall be so designed and be of such size that no automobile is required to back into a street to obtain egress. A parking garage is a structure of 4 walls and a roof which encloses parking spaces, each satisfying measurement requirements and all spaces being screened by curtain walls or ornamental screening. This definition does not preclude parking on the roofs of such garages if the above mentioned screening is provided.

"Automobile parts new, rebuilt & accessory sales service" means a facility for the retail sale and installation of lubricating oils, tires, filters and other new or rebuilt goods for use in motor vehicles. The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are permitted as incidental uses.

"Automobile parts, tires and accessories" means a structure or building of which the use of the sale of parts for automobiles, trucks, RV's and or trailers is conducted.

"Automobile pawn" means the act of leaving an automobile with a pawnbroker for security against money borrowed.

"Automobile rental" means a facility for the rental of new or used automobiles. Automobiles kept on the lot for rental purposes are not considered to be outside storage.

"Automobile repair" means location designed or used for the repair of automobiles, including mechanical repair, automobile maintenance, engine or transmission replacement or overhaul, and upholstery, but no paint or body work.

"Automobile retail" means the use of any building, land or area for the display and sale of automobiles.

"Automobile sales lot" means the display for sale of 2 or more new or used vehicles on any parcel and requires a Carson City business license.

"Automobile service" means an area used exclusively for retail sales of fuels or oils, having storage tanks and pumps located thereon and including minor automotive repairs and washing, but not including body repairs, battery rebuilding, engine rebuilding, or any other major automobile repair.

"Automobile wash (full-service)" means a car wash facility, typically operated in conjunction with a gas station, which customarily employs automatic or semi-automatic methods of cleaning.

"Automobile wash (self-service)" means a coin operated carwash facility operated by the customer and which does not utilize automobile conveyors or other automatic methods of cleaning.

"Automobile wrecking and dismantling yard" means a facility where land is used for the dismantling or wrecking of motor vehicles and trailers required to be registered under the motor vehicle laws of the state of Nevada, including premises used in the storing, keeping, buying, selling, or dealing in dismantled, wrecked, inoperative or disabled vehicles or integral parts of component materials thereof, and the storage, sale or dumping of dismantled, partially dismantled or wrecked inoperative vehicles and trailers, or parts thereof. Automobile dismantling shall not include the incidental storage of inoperative or dismantled vehicles in connection with the legal operation of an automobile repair garage or automobile body and fender repair shop while waiting for repair. Uses shall not be carried out within the required setback and a natural or artificial screen or buffer shall be provided to obscure the subject property from the street on which lands abut and from any opposite or adjoining properties.

"Average slope" means the slope of land as determined by the following formula: $S = I \div D \times 100$, where: S is average slope; I is the difference between the highest and lowest contour lines of a topographical map for the parcel, in feet; D is the distance between the contour lines used in computing I, in feet; and 100 is the conversion factor into percentage. The average slope of a parcel is measured along a line located near the center of any area to be used for development.

"Bakery" means a factory for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other bakery product of which flour or meal is the principal ingredient, but does not include a restaurant or other premises where any such product is made for consumption on the premises or a bake shop.

"Ballroom" means a large room for dancing.

"Bank" means an institution where money is deposited, kept, lent, or exchanged.

"Bar" means premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises as accessory to the principal use.

"Barber shop" means a shop in which a barber cuts hair and shaves or trims beards as an occupation.

"Barns and stables" means a farm building use for storing farm products and sheltering livestock and domestic animals.

"Beauty shop" means an establishment providing a personal service to men, women and children by shampooing, cutting, styling, tinting of hair, by giving manicures, procedures or facial treatments or by the use of cosmetic products. Permanent facial cosmetic shading is allowed as an accessory use to a beauty shop.

"Bed and breakfast inn" means sleeping and dining accommodations designed for the motoring public, within a single-family dwelling, limited to a maximum of 5 guest bedrooms, with required parking to be located off street and providing meals

exclusively to overnight guests or as limited by: Division 18.13 (Bed and Breakfast Inns) of the code.

"Billboard" means outdoor advertising signs containing a message, commercial or otherwise, which is unrelated to the merchandise for sale or services performed by the person of business on whose property the sign is located, posted for a fee by the owner of the sign framework.

"Billiards hall" means an establishment in which a game on an oblong cloth covered table with raised cushioned edges, in which a long tapered cue is used to hit small balls.

"Blood plasma donor center" means a building used for the collection of human blood plasma from plasma donors. The term does not include a facility for the provision of medical care or treatment.

"Board" means Carson City board of supervisors.

"Boarding and rooming house" means a building or portion thereof where, for compensation, meals and lodging are provided for more than 2 guests. (Not a motel or hotel.)

"Boat and trailer sales dealerships (new and used)" means the use of any building or lot for the display and sale of new or used boats, jet skis, or other marine vessels and trailers.

"Boats and other marine products and accessories" means a marine retail sale establishment in which goods are sold primarily for use on boats and ships, but excludes uses in which fuel for boats and ships is the primary item sold.

"Body piercing" means the practice of piercing holes in parts of the body so that rings and or studs can be inserted.

"Bonding company" means a company that provides bonding and surety for another.

"Bookbindery" means an establishment that provides the art, trade, or profession of binding books.

"Bookstore" means a store where books are sold.

"Boutique" means a specialty shop selling clothing, soaps, gift ware, consignment clothing, greeting cards and similar merchandise, but does not include antiques, guns, coin, pawn, secondhand business or similar businesses.

"Bowling alley" means a smooth, level wooden alley used for bowling.

"Brew pub" means a business which contains a restaurant use occupying 51 percent or more of the gross floor area and which also contains a bar and retail or wholesale brewery use which occupies 49 percent or less of the gross floor area. For the purpose of this section, a "restaurant" means a for-profit business which has as its principle purpose the preparation and serving of unpackaged food in a ready-to-consume state in individual servings to customers in the establishment. Brew pubs may be located in any historic district, any redevelopment district or as specifically authorized in this title. Brew pubs must operate in accordance with Chapter 598 of the NRS.

"Brokerage house" means a business in which one acts as an agent for others in negotiating contracts, purchases, or sales in which a commission is paid to a broker.

"Building" means any structure (including membrane structures) having a roof supported by columns or walls and built for the shelter or used for the enclosure of persons, animals, chattels or property of any kind, including but not limited to awnings, carports, ramadas, or patios. See also building, primary and building, detached.

"Building area" means the total square footage for all spaces within the exterior walls of a building.

"Building, detached" means a building surrounded on all sides by open space.

"Building height" means the definition of building height as contained in the latest adopted version of the Building Code currently adopted by Carson City.

"Building and landscape material/lumber yard" means a facility for the sale of home, lawn and garden supplies, and construction materials such as brick, lumber, and other similar materials.

"Building line" means that face, corner, wall or column of structure or building nearest the property line.

"Building maintenance service and sales" means a facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning, and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

"Building materials" means substances used in construction including lime, gypsum, brick, block, cement, concrete, tile, terra cotta, stone and plaster (indoor only).

"Building materials and lumber yard" means a building or structure in which building or construction and home improvement materials are offered or kept for sale.

"Building permit" means a written approval issued by the building official pursuant to the latest edition of the Building Code adopted by Carson City that authorizes construction of any residential dwelling, building, or structure.

"Building, primary" means a building devoted to the principal use of the lot on which it is situated. In the case of a residential use, "primary building" means a residence and garage, if both are fully enclosed, and attached by a common wall.

"Building setback" means the distance between the property line and the building line of a structure on the property.

"Bulk building materials" means materials used in construction, improvement, or anything essential toward the completion of a building or structure for the use intended, which are purchased or sold in quantities described as units, pallets or bags, and are limited to the following materials or materials of a similar nature: lumber (including decking, timbers and railroad ties), plywood, particle board, siding, gypsum (sheet rock), fencing (wood and metal), roofing, cement block, cement, brick, stone, insulation and bulk landscape materials.

"Bus charter service and service facility" means any premises for the transient housing, parking, servicing or repair of motor-driven buses.

"Bus passenger depot" means an on-site or on street temporary bus parking location for passenger loading and unloading, and loading and unloading of freight with available indoor passenger waiting area, restrooms, telephone, and open at least 1 hour before any scheduled bus and with appropriate signs directing customers to the services available.

"Bus line office, service and storage" means a facility for the storage, parking and service of motor-driven buses, and the administration and management of the business.

"Cabana" means any portable, demountable or permanent cabin, room, enclosure or other building erected, constructed or placed on any recreational vehicle on the same space in a recreational vehicle park.

"Cafeteria" means a restaurant in which customers are served at a counter and carry their meals on trays to tables.

"Campground" means a plot of ground upon which 2 or more campsites are located, established or maintained for occupancy by camping units as temporary living quarters for recreation, education or vacation purposes. See also "recreational vehicle park".

"Caretakers quarters" means an independent, self-contained dwelling unit located on the same lot as the principal use or structure and which provides residential accommodations for a property manager and/or property maintenance persons.

"Carport" means an accessory building having 2 or more open sides; also used by occupants of a recreational vehicle park.

"Caterer" means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out, and does not include a food service establishment.

"Cellular communication facility" means a communication system that uses a network of short-range transmitters in overlapping zones and a central station to connect to telephone lines, which is not limited to a tower, pole, or similar structure which supports telecommunications antennae operated for commercial purpose above ground in a fixed location, freestanding, guyed, or on a building or other structures.

"Cemetery" means land used for burial of the dead, including columbariums, crematoriums, mausoleums and mortuaries.

"Ceramic" means any of various hard, brittle, heat and corrosion resistant materials made by shaping and then firing a nonmetallic mineral, such as clay at a high temperature.

"Changeable promotional flag" means any flag not fitting the definition found in Division 4, "Official Flag."

"Child care facility" means any place, home, institution, or establishment in which more than six (6) children are received, cared for, or maintained for any period of time with or without compensation.

"Christmas tree sales" means a seasonal use of a piece of land for the retail sales of Christmas trees.

"Church, temple, house of worship" means any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as child care facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Title 18. The term does not include any class of child care center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

"Civic auditorium and theater" means a building or complex of buildings that may house municipal offices and services, and which may include cultural, recreational, athletic, convention and entertainment facilities owned and/or operated by a governmental agency.

"Cleaners, commercial" means a facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.

"Clinic" means an ambulatory health care building designed and used for the medical and surgical diagnosis or treatment of human patients on an outpatient basis. (Includes psychological evaluation, medical and dental).

"Club" means an incorporated or unincorporated association of persons organized for a social, educational, literary or charitable purpose.

"Club, supper and amusement" means an institution used or intended to be used for an association of persons, whether incorporated or unincorporated, for some common purpose, such as Lions, Elks, Rotary, or Shriner, but not including adult uses, or a group organized or primarily to render a service customarily carried on as a commercial enterprise, or only administrative offices supporting the club.

"Code" means the Carson City municipal code and references to the code are intended to convey that process under this chapter in no way supersedes building, zoning or other provisions of local law, but is in addition thereto.

"Coffee shop" means a small restaurant serving light meals and coffee.

"Cold storage plant" means a facility for the protective storage of items such as food or furs, in a refrigerated place.

"Co-location" means the use of a single mount by more than 1 carrier and/or several mounts on a building or structure by more than 1 carrier. Each service on a co-location is a separate wireless service facility.

"Collectible store" means a business devoted to the public exhibition and related sales of new and previously owned limited edition works and reproductions of original artwork as denoted in the latest edition of the collectibles market guide and price index and/or other authoritative document as approved by the director. "Collectible" refers to limited edition items such as, but not limited to, figurines, collages, plates, dolls, ornaments, graphics, steins and bells.

"Collection agency" means an establishment which specializes in the collection of monies owed.

"College or university" means an academic institution of higher learning beyond the level of secondary school.

"Commercial amusement/recreation (inside)" means an enclosed facility or area for sport, entertainment, games of skill, or recreations to the general public for a fee. Examples include, but are not limited to, bowling alleys, roller and ice skating rinks, game courts, swimming pools, walk-in theaters or physical fitness centers and gyms and video game arcades.

"Commercial amusement/recreation (outside)" means an outdoor facility or area for sport, entertainment, games of skill, or recreations to the general public for a fee. Examples include, but are not limited to game courts, water slides, miniature golf

courses, drive-in theaters, balling cages, practical/instructional fields, driving ranges and sports events, such as stadiums or arenas.

"Commercial coach" means a structure without motive power which is designed and equipped for human occupancy for industrial, professional or commercial purposes.

"Commercial dog kennel" means a structure in which dogs are kept, boarded, bred or trained for commercial gain.

"Commission" means Carson City planning commission.

"Common open space areas" are common areas open to the public which shall be designed for passive or active recreational use, but does not include driveways, streets and parking areas.

"Communication equipment shelter" means a structure designed principally to enclose equipment used in connection with wireless communication transmission, and/or reception.

"Community center, private (accessory)" means a facility associated with a planned residential development or multi-family development which provides for community activities for residents of the development.

"Community clubhouse" means a community building or portion thereof, used by a club.

"Community institutional (nonprofit)" means facilities provided by the municipality or by any other group or organization without profit or gain for such special purposes as a scout house, community meeting rooms, a community center, a drop-in center, an archaeological or fine arts museum, a public library, etc., but does not include school activities, public or private parks, playgrounds, arenas, stadiums, hippodromes, swimming pools, skating rinks, commercial-recreational establishments or any class of group home.

"Community recreational facility, public" means a facility which provides for community recreational activities and is available to the general public.

"Community/regional commercial/office" means a single or combination of buildings owned or managed, in common, oriented to community or regional consumers providing merchandise, activities or services which may or may not be built around 1 or more department stores or offices and which collectively total 150,000 square feet in gross building area.

"Concrete batch plant" means an industrial facility used for the production of concrete or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process of finished products manufactured on the premises, and

the storage and maintenance of required equipment, but does not include the retail sale of finished concrete products.

"Condominium" means a multifamily dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space areas, and facilities are owned by all of the owners on a proportional, undivided basis.

"Congregate care housing" means a dwelling providing shelter and services for people, which may include living and sleeping facilities, meals, eating assistance, housekeeping, laundry services, dressing, room cleaning, medication reminders, nursing care, related medical services and personal care. Such facilities may also provide other services, such as counseling and transportation for routine social and medical appointments. Congregate care housing does not include a single-family dwelling pursuant to NRS 278.021.

"Conservation and wildlife sanctuary" means land left in its natural state for the purpose of providing sanctuary, habitat and breeding grounds for wild birds, animals and plant life and includes a forest reserve.

"Consignment shop" means a retail outlet that stocks and sells goods on a sale-or-return basis, or as an agent selling on behalf of others and receiving a percentage.

"Construction" means any grading of land, installation of improvements, erection or placement of structures, or assembly of equipment or materials to be used in any of those activities.

"Construction coach" means a structure without motive power which is designed and equipped for industrial, professional or commercial purposes as defined in Chapter 489 of NRS.

"Construction material supply yard" means a facility for the storage of construction materials for a specific development.

"Contractor's equipment yard" means an unenclosed portion of the lot or parcel upon which a construction contractor maintains its principal office or a permanent business office. The area would allow for the storage of construction material and equipment customarily used in the trade carried on by the construction contractor.

"Contractors' plant, shop & storage yard" means a facility for the storage and maintenance of contractors' supplies and operational equipment. Offices are considered an accessory use.

"Cultural resource" means archeological sites, objects, grounds, gardens, landscapes, structures and buildings.

"Convenience market" or "store" means any retail establishment offering for sale gas, prepackaged food products, household items, magazines, sandwiches and other

freshly prepared foods for off-site consumption, and other goods commonly associated with the same, and having a gross floor area of less than 3,500 square feet.

"Convention facilities" means a facility designed to accommodate any number of persons and used for conventions, seminars, conferences, product displays, recreation activities and entertainment functions, along with accessory functions including temporary outdoor display and food and beverage preparation and service for on premises consumption.

"Copy center" means a facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, small offset printing, blueprint, and facsimile sending and receiving.

"Corral" means an unroofed enclosure used only for confining livestock.

"Country club, private" means a facility used for recreational or athletic purposes with limited membership and the use of which is primarily restricted to members and their guests. Accessory uses include retail and restaurant facilities, which do not have separate signage or advertising, and a club house.

"Court" means an unoccupied open space bounded on 3 or more sides by buildings.

"Coverage" means the percentage of the area of a lot upon which is built.

"Crating and hauling depot and storage" means terminals with the capability of handling a larger variety of goods involving various forms of multimodal shipping capabilities, such as rail to truck and truck to air.

"Crematorium" means a facility where corpses are cremated.

"Crisis care facility" means a building or part of a building which is used to provide temporary residence for persons requiring immediate emergency shelter and aid for a short period of time, including, but not limited to, hostels for battered or abused adults or children, hostels for youth requiring immediate emergency, temporary shelter and hostels for elderly persons.

"Crop storage" means the use of land, structure or building for the purposes of storage of crops.

"Cultural resource" includes, but is not limited to, architectural sites, objects, grounds, gardens, landscapes, structures and buildings.

"Custom & craft work" means a facility in which finished, personal, or household items which are either made to order or which involve considerable handwork are produced. Examples include, but are not limited to, textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting and other work or wood products on

an individualized single item basis. The term does not include cabinet making, cabinet assembly, or the use of mechanized assembly line production.

"Dairy" means commercial establishments that processor sell milk and milk products.

"Deed" means a legal document conveying ownership of real property.

"Delicatessen" means a shop that sells cooked or prepared foods ready for serving.

"Delivery" service means a service which provides the act of delivering or conveying.

"Density" means the number of families, individuals, dwelling units, households or housing structures per unit of land.

"Department" means the Carson City planning and community development department.

"Department store" means a store organized into a number of individual departments selling a variety of merchandise, including, but no limited to, men's and woman's clothing and home furnishings.

"Design" means the design elements of a development site, including the planning and engineering of the following: street alignments, grades, widths; drainage and sanitary facilities and utilities including alignment and grades thereof; location and size of all easements and rights-of-way; lot size and configuration; traffic access; grading; land to be dedicated for parks or recreational purposes; building design and configuration; landscaping and open space; and other such specific physical requirements.

"Detached" means any building or structure that does not have a roof or wall in common with any other building or structure.

"Detached accessory structure" means a part of a main building or a separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use.

"Development" means any construction, excavation or improvement or any work requiring a building permit or a grading permit.

"Development project" means a residential project of multiple dwelling units located on contiguous parcels and held in the ownership of 1 property owner or combination of property owners. A development project on contiguous parcels shall be considered the same project, even if approvals by the city were at different chronological times, and even if the separate phases of the project have different names, numbers or other means of identification.

"Development standards" means the document adopted by the board of supervisors which provides for various standards for development including, but not limited to, project design, landscaping, parks, trail, mobilehome/RV parks, health, transportation, grading, storm drainage, water, wastewater, reclaimed water, mapping, improvement plans, permit processing, reports, testing and inspections. Process oriented standards are contained in Title 18. Design oriented standards are contained in the development standards, which is a codified document and parallel in authority to Title 18.

"Director" means the director of the planning and community development department or his designee.

"Downtown area" means that area between Washington Street and Fifth Street and between Nevada and Stewart Streets.

"Downtown business district" means an overlay district as shown on the official map entitled "Zoning Map of Carson City" on file in the office of the director.

"Driveway/lot" means a lot with a driveway located along the common property line of 2 parcels.

"Drugstore" means a store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, and nonprescription medicines, but where nonmedical products are sold as well.

"Dry cleaning" means a process of receiving articles or goods of fabric to be subject to a process of dry cleaning, dry dyeing, cleaning and spotting, and stain removing. Machinery shall not be visible from the windows of the establishment and shall be screened. Self-contained systems shall meet clean air requirements.

"Dwelling" means any building or portion thereof used exclusively for residential purposes, but does not include hotels, clubs, boarding or rooming houses, or institutions. See also dwelling, single-family; dwelling, multi-family; and dwelling, two-family.

"Dwelling, attached" means a one-family dwelling attached to 2 or more one-family dwellings by common vertical walls.

"Dwelling, manufactured" means a single-family dwelling manufactured off-site.

"Dwelling, multiple family" means a building designed and/or used to house 3 or more families, living independently of each other.

"Dwelling, patio home" means a single-family detached dwelling, with open space setbacks on 3 sides and with a court.

"Dwelling, single-family" means:

A building used to house not more than 1 family or a group of not more than 4 unrelated persons living together sharing a noncommercial single dwelling unit and common house keeping facilities: or

As provided for in NRS 278.021, a residential facility for groups in which 10 or fewer unrelated persons with disabilities reside with house parents or guardians who need not be related to any of the persons with disabilities; and if applicable, additional persons who are related to the house parents or guardians within the third degree of consanguinity or affinity. "Residential facility for groups," has the meaning ascribed to it in NRS 449.017, which means an establishment that furnishes food, shelter, assistance and limited supervision to an aged, infirm, mentally retarded or handicapped person. The term includes, without limitation, an assisted living facility. The term does not include an establishment which provides care only during the day; a natural person who provides care for not more than 2 persons in his own home; a natural person who provides care for 1 or more persons related to him within the third degree of consanguinity or affinity; a halfway house for recovering alcohol and drug abusers; or a facility funded by a division or program of the department of human resources; or

As provided for in NRS 278.021, a home for individual residential care and has the meaning ascribed to it in NRS 449.0105, which means a home in which a natural person furnishes food, shelter, assistance and limited supervision, for compensation, to not more than 2 persons who are aged, infirm, mentally retarded or handicapped, unless the persons receiving those services are related within the third degree of consanguinity or affinity to the person providing those services. The term does not include a halfway house for recovering alcohol and drug abusers; or

As provided for in NRS 278.021, a halfway house for recovering alcohol and drug abusers and has the meaning ascribed to it in NRS 449.008, which means a residence that provides housing and a living environment for alcohol and drug abusers and is operated to facilitate their reintegration into the community, but does not provide any treatment for alcohol or drug abuse; or

As provided for in NRS 278.0209, includes factory built housing that has been built in compliance with the standards for single-family residential dwellings of the Building Code most recently adopted by the International Conference of Building Officials and is further defined at NRS 461.080 as a residential building, dwelling unit or habitable room thereof which is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with regulations adopted by the division, but does not include a mobilehome or recreational vehicle park trailer; or

As provided for in NRS 278.02095, includes a manufactured home, defined at NRS 489.113, as a structure which is built on a permanent chassis and designed to be used with or without a permanent foundation as a dwelling when connected to utilities and transportable in 1 or more sections and 8 feet or more in body width or 40 feet or more in body length when transported, or when erected on site, contains 320 square feet or more and the term includes the plumbing, heating, air-conditioning and electrical

systems of the structure. The term includes any structure which meets the requirements of NRS 489.113 with a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq, or was built in compliance with the requirements of Chapter 461 of NRS. The term does not include a recreational park trailer.

"Dwelling, townhouse" means a row or cluster of at least 3 attached dwellings in which each dwelling is located on separately owned lot; each unit is separated by 1 or more common vertical walls; each unit has its own front and rear yard access; and no unit is located over another unit. A townhouse complex may include common open space and recreational areas and facilities which are owned by all owners on a proportional, undivided basis.

"Dwelling, two-family" means a building containing not more than 2 kitchens, designed for and occupied exclusively by 2 families living independently of each other. Commonly referred to as a duplex living unit.

"Excavation" means the mechanical removal of earth materials.

"Embroidery shop" means an establishment in which the act or art of ornamentation of fabric with needlework is practiced.

"Employment agency" means an agency whose business is to find jobs for people and find people qualified to fill jobs.

"Engraver" means one whom practices the art or technique of one that engraves from a plate or block.

"Entitlement certificate" means a document issued by the city to allow a property owner to apply for a building permit for a residential structure that is subject to the provisions of this chapter.

"Equestrian center" means the use of lands buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include the racing of horses.

"Equipment rental" means the rental of landscaping, construction or similar equipment such as riding lawnmowers or tillers, but not including earth moving equipment, such as front end loaders, dump trucks or other more intense commercial vehicles which are required to comply with the Nevada Department of Motor Vehicles regulations for licensing purposes.

"Equipment shelter" means an enclosed structure, cabinet, shed or box at the base of the mount used to contain batteries and electrical equipment. This equipment is connected to the antenna by cable. Equipment shelters are also called "base transceiver stations" for personal communications systems (PCS).

"Escrow company" means a company that handles money, property, deeds and or bonding into the custody of a third party for delivery to a grantee only after the fulfillment of specified conditions.

"Essential resource" or "essential service" means a public facility, physical resource, natural resource, or public service provided to the community by the city through its police power, and administration of the public health, safety and welfare.

"Establishment" means a use, building, structure or premises which is used for business, office or commercial purposes.

"Excavation" means the mechanical removal of earth materials.

"Extraction" means to obtain or withdraw minerals, sand, rock, gravel, stone, earth or any similar material by breaking of the surface soil by physical or chemical process or may mean to separate a metal from ore.

"Extraction operation" means an operation of which the extraction of minerals, including solids, such as ores and coal; liquids such as petroleum, and gases, such as natural gases, are conducted.

"Facial cosmetics shading, permanent" means a process whereby permanent facial cosmetics are placed by implantation of tints to the skin of the face along the natural brow line, eyelash lines; or defining and brightening of normal coloration of lips. Does not include implanting of images of flowers, insects, geometric designs or any other "picture" that would not normally appear on the face.

"Facility site" means a lot or parcel, or any part thereof, which is owned or leased by 1 or more personal communication wireless service providers and upon which 1 or more wireless communication facility(s) and required landscaping are located.

"Factory built housing" means a residential building, dwelling unit or habitable room thereof which is either wholly manufactured or in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with regulations adopted pursuant to NRS 461.170, but shall not include a mobilehome.

"Factory outlet store" means a building or part of a building where the products manufactured by the industry are kept for wholesale or retail sale.

"Fairground/theme park" means land devoted to entertainment on a seasonal or temporary basis and may include grandstands, barns and other accessory buildings, normally associated with such a use. A theme park is an entertainment or amusement facility built around 1 or more themes which may be historical architectural or cultural.

"Fall zone" means the area on the ground within a prescribed radius from the base of a personal wireless service facility. The fall zone is the area within which there is a potential hazard from falling debris or collapsing material.

"Family" means 1 person living alone, or 2 or more persons related by blood, marriage or legal adoption.

"Farmer's market" means an indoor or outdoor commercial area providing retail sales booths for numerous merchants of produce and plant life. May provide arts and crafts booths accessory to the produce and plant life booth.

"Fee schedule" means the schedule of fees which has been adopted by the board of supervisors and which authorizes the city to charge fees for the processing of applications and other activities in connection with zoning and development approval.

"Feed store" means a retail sales facility where grain and other foodstuffs for animals and livestock is sold, including other implements and goods related to agricultural processes, but not including farm machinery.

"Fence" means an artificially constructed barrier of any material or combination of materials erected to enclose, screen or separate areas.

"Fill" means the deposit of materials including dirt, rock, sand and gravel by a person on a parcel of land to create volume on the parcel.

"Fire station" means a building for fire equipment and firefighters.

"Flea market" means a building or part of a building where second hand goods, articles and antiques are offered or kept for sale at retail to the general public, but shall not include any other establishment otherwise defined or classified herein.

"Floor area" means the sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from centerline of division walls. Floor area includes: basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces within headroom of 7 feet 6 inches or more, penthouse floors, interior balconies and mezzanines, enclosed porches. Floor area shall not include: accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than 7 feet 6 inches, exterior steps or stairs, terraces, breeze ways and open spaces.

"Floor area ratio" means the gross floor area of all buildings on a lot divided by the lot area.

"Floor area, gross" means the total square footage of all floors of a new structure.

"Floor area, net" means the total square footage of all nonstorage areas of a structure.

"Florist" means a retail store where flowers and plants or either in singular are sold or offered for sale to the public, and such use may include the incidental raising and arranging of flowers and plants for sale in the store.

"Food processing" means a facility in which food for human consumption is provided in its final form, such as candy, baked goods and ice cream, and the food is distributed to retailers or wholesalers for resale on or off the premises. The term does not include food or beverage processing which uses any mechanized assembly line production of canned or bottled goods.

"Fortune telling" means the art or practice of one whom claims to be able to predict future events.

"Fraternal association" means a group of people formally organized for a common interest, usually cultural, religious or entertainment with regular meetings, rituals and formal written membership requirements.

"Fuel storage tank facility" means a facility primarily engaged in the bulk storage and distribution of petroleum, gasoline, fuel oil, gas or other similar flammable products in fuel storage tanks.

"Funeral home" means a building designed for the purpose of furnishing funeral supplies and services to the public, and includes facilities intended for the preparation of the dead human body for internment or cremation.

"Gallery" means a building or hall in which a collection of artistic works is displayed sold or auctioned.

"Gaming" means any legally constituted gambling enterprise authorized under the Nevada state law, other than slot machines when such machines are operated incidental to the conduct of a licensed retail business.

"Gaming establishment, non-restricted" means an establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required. For informational purposes, the term refers to an establishment whose gaming operations consist of 16 or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool establishment.

"Gaming, limited" means 15 or less gaming machines in 1 commercial establishment.

"Garage, private" means a sheltered or enclosed space designed and used for the storage of the motor vehicle, boats or other personal property of the residents of the premises.

"Garden supplies" means lawn and garden equipment, furnishings and products associated with the cultivation of, but not limited to, flowers, vegetables, fruits and trees.

"Garden supply/plant nursery" means a facility for the growing, display, or sale of plant stock, seeds or other horticulture items. This use may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping.

"Gas station minimart" means a facility associated with the sale of gasoline products, that also offers for sale prepackaged food items and tangible consumer goods, primarily for self-service by the consumer.

"Gasoline, retail" means the sale of natural gas, manufactured gas, propane gas or any mixture of any of them.

"General property owner" means a property owner that does not request placement in the development project category under Chapter 18.12 (Growth Management).

"Gift shop" means a store selling small decorative or amusing items that are intended to be bought as gifts or souvenirs.

"Golf course" means a tract of land laid out for at least 9 holes for playing the game of golf, improved with trees, greens, fairways, hazards and that may include a clubhouse and shelter.

"Golf course and driving range" means a public or private area operated for the purpose of playing golf, developing golfing techniques and may include a club house, miniature golf courses and recreational facilities.

"Good repair" means maintaining the structural components of the structure, sufficient to prevent deterioration.

"Government facility" means a facility, agency or area used for public purposes, and owned or operated by an instrumentality or agency of federal, state or local government.

"Grade" means the degree of rise or descent of a sloping surface (see slope).

"Grade, finished" means the average proposed level of the finished surface of the ground adjoining a building after all site development work has been completed.

"Grade, natural" means the average proposed level of the finished surface of the ground adjoining a building prior to site development work.

"Grading" means any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

"Grandfathered" means the use was legally in existence at the time of the adoption of the original Carson City land use ordinance, this title, or any amendment hereto.

"Green house" means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot

containing such green house, but can be sold directly from such lot at wholesale or retail.

"Grocery store" means a building used for the sale primarily of food products and which specifically excludes the sale of specialty products as a principal use.

"Gross land area" means the total square footage or acreage of a parcel of land prior to subdivision, development, or offer of or acceptance of dedication of land area for access drainage and/or public utility easements and/or rights-of-way.

"Guest building" means a dwelling unit on the same lot as the primary dwelling unit and ancillary to the primary dwelling unit. A guest building may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation, and includes habitable detached structures that may or may not include cooking facilities and which is used exclusively for housing the family members of the primary residence and their non-paying guests. A manufactured or mobilehome is not considered a guest building in SF6, SF12, SF21, SF1A, SF2A, or SF5A zoning districts. A recreational vehicle is not allowed as a guest building in any zoning district.

"Gun club, skeet or target range" means a facility for the sport of shooting at targets to test accuracy in rifle, pistol or archery practice owned or operated by a corporation, association, or individuals.

"Gun store" means a retail establishment in which small hand held pistols to large piece artillery in addition to ammunition are sold.

"Gunsmith" means a maker or repairer of firearms.

"Guyed tower" means a monopole or lattice tower that is tied to the ground or other surface by diagonal cables.

"HRC" means the historic resources commission.

"Habitable space" means a space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

"Hard surfaced" means 6 inches of decomposed granite or gravel graded and compacted to standards of the development engineering department.

"Hardware store" means a facility for the sale of home, lawn and garden supplies, tools, and construction materials such as brick, lumber and other similar materials.

"Hazardous waste or material" means a waste or material as defined by Section 12 of the Carson City environmental control authority ordinance.

"Health and fitness club" means a building in which facilities are provided for recreational athletic activities including, but not limited to, body building and exercise classes, and shall include associated facilities such as a sauna and solarium.

"Hearing examiner" means the person appointed pursuant to this chapter to review and make decisions on applications for proposed work and pursuant to NRS.

"Hedge" means a 100% sight-obscuring fence-like boundary formed by a dense row of shrubs or low growing mature trees.

"Helipad" means a facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services.

"Hillside area" means any parcel or development site having an existing average slope of 15% or greater.

"Hillside development manual" means a document created and adopted pursuant to this chapter which contains technical specifications and requirements for development of parcels in areas governed by this chapter. It is incorporated into the development standards, Division 7.

"Home improvement center" means a building and/or structures for the purpose of retail sale of all types of materials used in building construction and may include garden centers.

"Home occupation" means a use customarily carried on by a dwelling occupant and incidental to the primary residential use, providing such residential character of the property is not changed and is operated in compliance with Chapter 18.05 (Home Occupation).

"Horse corral or stable (commercial)" means a structure for the keeping of horses, mules, or ponies which are boarded for compensation.

"Horse corral or stable (private)" means an accessory structure for the keeping of horses, mules, or ponies for the use of occupants of the premises.

"Hospice" means a home for the terminally ill.

"Hospital" means a building designed and used for the medical and surgical diagnosis, treatment and housing of persons under the care of doctors and nurses, and supporting services such as gift shops, restaurants and laundromats. Rest homes, nursing homes, convalescent homes and clinics are not included.

"Hotel" means a building containing 6 or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests on a transient basis less than 28 consecutive days total.

1.

Hotel. A building or group of buildings whose main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area. A hotel may also contain restaurants, conference rooms and personal service shops.

2.

Hotel suites. A facility offering temporary lodging accommodations to the general public in which rooms or suites may include kitchen facilities and sitting rooms in addition to the sleeping room.

"Hotel, residence" means a multi-dwelling unit for extended stay lodging consisting of efficiency units or suites for long-term occupancy up to a maximum of 180 days; customary hotel services such as linen, maid service, telephone and upkeep of furniture; and optional resident and guest amenities such as meeting rooms, club house and recreation facilities. The term does not include facilities which qualify as other types of dwelling units defined in this title.

"Ice cream parlor" means a small retail business in which a sweet frozen dessert or snack traditionally made with cream and egg yolks and flavored with a variety of fruits or other extracts are sold and eaten.

"Impound yard" means a place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored temporarily until reclaimed, but does not include an automobile service station, gas bar, public garage, junk yard, salvage yard or wrecking yard.

"Improvement" means a roadway, landscaping, utilities or any other structure.

"Incineration and reduction of garbage, offal, dead animals or refuse" means a device used to burn waste substances and in which all the combustion factors temperature, retention time, turbulence and combustion air, can be controlled.

"Indoor sport and recreation" means recreational uses conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, penny arcades, electronic video games and indoor racquetball courts.

"Insurance company" means a company which practices the business of providing insurance.

"Interior decorator" means a person who practices or specializes in interior decoration.

"Janitorial and building cleaning service" means an establishment primarily engaged in the provision of off-site maintenance and custodial services. Typical uses include carpet cleaning, janitorial, pest control and window cleaning.

"Jewelry store" means an establishment which primarily sells new and used jewelry, or reconstitutes precious metal into jewelry forms which are sold at retail on the premises.

"Junkyard" means any space used for collecting, storage, abandonment or sale of junk, wastepaper, rags, scrap metal, discarded material or similar waste including the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or parts or placement of 1 or more dismantled or partially dismantled vehicles.

"Kennel" means a place where ten (10) or more dogs of not less than six months of age are kept, harbored, boarded, or maintained at any given time.

"Kiln" means an oven for hardening, baking or drying substances.

"Kitchen" means a room containing such items as a stove, microwave, hot plate, or other cooking/heating devices used for cooking or the preparation of food.

"Labor and service organizations" means a group of workers from a particular job, industry, or employer identified by shared interests or purpose, for example, a business.

"Laboratory" means a facility for scientific research or the observation and testing of materials.

"Lapidary services" means a service provided by a dealer who specializes in precious or semiprecious stones.

"Lattice tower" means a type of mount that is self-supporting with multiple legs and cross-bracing of structural steel.

"Launderette" means a building or structure where coin-operated laundry machines, using water only, detergents and additives, are made available to the public for the purpose of laundry cleaning.

"Library" means a building containing printed and pictorial material for public use for purposes of study, reference and recreation.

"Lithographer" means one who practices the process in which the image configuration to be printed is rendered on a flat surface, as on stone or now chiefly on sheet zinc or aluminum, and treated so that only those areas to be printed will retain ink.

"Livestock raising" means farm animals kept for use, propagation, or intended profit or gain, and without limiting the generality of the forgoing includes: dairy and beef cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, goats, geese, mink and rabbits.

"Loading space" means a parking space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of vehicles while handling merchandise or materials, each such space to be not less than 15 feet wide, 60 feet long with 14 feet height clearance.

"Locksmith" means one that repairs or makes locks.

"Lodge" or "fraternal organization" means a facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interest; but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship.

"Lot" means a distinct parcel of land divided with the intent to transfer ownership or for building 1 primary dwelling unit or structure.

"Lot area" means that area of a horizontal plane bounded by the front, side and rear property lines including any portion of an easement which may exist within such property lines but exclusive of rights-of-way for street purposes. For the purpose of defining lot area, easements are included within the lot area for public utilities and private dead end driveways serving 4 or fewer lots. Private access easements serving more than 4 lots are not included in lot area. Minimum lot area includes all common parking, landscaping and building areas within a single project site that shares such common facilities and common access for the purposes of creating building envelope parcels, condominium parcels, or other similar subdivision or property within non-residential zoning districts.

"Lot, corner" means a lot situated at the intersection of 2 or more streets, with frontage on at least 2 streets.

"Lot depth" shall be the average distance between the front and rear lot lines measured in the direction of the side lot lines.

"Lot, double frontage" means a lot (not a corner lot) which adjoins 2 streets, which are parallel or within 45 degrees of being parallel to each other. On a double frontage lot, both street property lines shall be deemed front lot lines, unless designated otherwise on a recorded final map.

"Lot, flag" means a lot having access or an easement to a public or private street by a narrow, private right-of-way.

"Lot, interior" means a lot other than a corner lot.

"Lot line" means a property line that divides 1 lot from another lot or from a public or private street or any other public space.

"Lot line, front" shall be the dimension front on a street, except for a flag lot.

"Lot line, rear" means the property line opposite and most distant from the front property line.

"Lot line, side" means any property line perpendicular to a front or rear property line.

"Lot, minimum area" means the smallest lot area permissible in a particular zoning district on which a use or structure may be located.

"Lot width" shall be the average distance between side lot lines measured at right angles to the lot depth.

"Machine shop" means a workshop where various materials, especially metals, are cut, shaped and worked, often to tight specifications using machine tools.

"Magazine sales" means the retail sale of publications issued at regular intervals, usually weekly or monthly, containing articles, stories, photographs, advertisements, and other features, with a page size that is usually smaller than that of a newspaper but larger than that of a book.

"Main building" means a building devoted to the principal use of the lot on which it is situated. On any lot in a residential district, the term refers to the principal dwelling located on that lot.

"Maintenance" means the upkeep of property, building, structures, amenities, parking facilities, landscaping, or lot including repair, painting, trimming, pruning, as well as watering and other ongoing activities that are associated with maintenance.

"Manufactured building" includes any modular building or any building constructed using 1 or more modular components.

"Manufactured home" means a factory-built, single-family structure that is manufactured under the authority of 42 USC section 5401, the National Manufactured Housing Construction and Safety Standards Act of 1974, is transportable in 1 or more sections, is built on a permanent chassis, and is used as a place of human habitation, but which is not constructed with a permanent hitch, or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame.

"Manufacturing" means the use of land, building or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, warehousing or storing or adapting for sale of any goods, substance, article, thing or service.

“Marijuana” has the meaning ascribed to it in subsection 8 of NRS 453D.030 and means all parts of any plant of the genus *Cannabis*, whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include:

- 1. The mature stems of the plant, fiber produced from the stems, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stems except the resin extracted therefrom, fiber, oil or cake, the sterilized seed of the plant which is incapable of germination; or**

2. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

“Marijuana cultivation facility” has the meaning ascribed to it in subsection 9 of NRS 453D.030 and means an entity licensed to cultivate, process and package marijuana, to have marijuana tested by a marijuana testing facility and to sell marijuana to a retail marijuana store, to a marijuana product manufacturing facility and to other marijuana cultivation facilities, but not to consumers.

“Marijuana distributor” has the meaning ascribed to it in subsection 10 of NRS 453D.030 and means a person licensed to transport marijuana from a marijuana establishment to another marijuana establishment.

“Marijuana establishment” has the meaning ascribed to it in subsection 11 of NRS 453.030D and means a marijuana cultivation facility, marijuana testing facility, marijuana product manufacturing facility, marijuana distributor or retail marijuana store.

“Marijuana product manufacturing facility” has the meaning ascribed to it subsection 12 of NRS 453D.030 and means an entity licensed to purchase marijuana, manufacture, process and package marijuana and marijuana products, and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana, but not to consumers.

“Marijuana products” has the meaning ascribed to it in subsection 13 of NRS 453D.030 and means products comprised of marijuana or concentrated marijuana and other ingredients that are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

“Marijuana retail store” or “retail marijuana store” has the meaning ascribed to “retail marijuana store” in subsection 18 of NRS 453D.030 and means an entity licensed to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities and retail marijuana stores, and to sell marijuana and marijuana products to consumers.

“Marijuana testing facility” has the meaning ascribed to it in subsection 15 of NRS 453D.030 and means an entity licensed to test marijuana and marijuana products, including for potency and contaminants.

"Massage therapy" means the act of rubbing, kneading or otherwise touching the human body with the hands, feet or any device so as to stimulate circulation or make muscles supple, for a fee, gratuity or other consideration. Massage therapy includes "aesthetician" or "esthetician," as defined in NRS 644 Cosmetology. The term "massage" does not include acts, treatments or services within the meanings of "practice of medicine," "osteopathy," "chiropractic," "physical therapy" or

"naturopathic healing" as defined by the Nevada Revised Statutes and does not include the offering of sexually oriented services.

"Meal" means unpackaged food prepared on site, but does not include muffins, fruit, desserts or similar items.

"Mechanical equipment building" means a structure which houses equipment, devices and accessories, the use of which relates to water supply, drainage, heating, ventilation, air conditioning and similar purposes.

"Median" means a paved or planted area separating a street or highway into 2 or more lanes of travel in opposite directions.

~~"Medical marijuana cultivation facility" [means a business having the meaning ascribed in state law, registered with the State of Nevada, which acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells marijuana and related supplies to medical marijuana dispensaries, medical marijuana production facilities, or other medical marijuana cultivation facilities.]~~ **has the meaning ascribed to the term "cultivation facility" in NRS 453A.056 and means a business that:**

1. Is registered with the Division of Public and Behavioral Health of the Department of Health and Human Services pursuant to NRS 453A.322; and

2. Acquires, possesses, cultivates, delivers, transfers, transports, supplies or sells marijuana and related supplies to:

(a) Medical marijuana dispensaries;

(b) Facilities for the production of edible marijuana products or marijuana-infused products; or

(c) Other cultivation facilities.

~~"Medical marijuana dispensary" [means a business having the meaning ascribed in state law, registered with the State of Nevada, which acquires, possesses, delivers, transfers, transports, supplies, sells, or dispenses marijuana or related supplies and educational materials to the holder of a valid state registry identification card.]~~ **has the meaning ascribed to it in NRS 453A.115 and means a business that:**

1. Is registered with the Division of Public and Behavioral Health of the Department of Health and Human Services pursuant to NRS 453A.322; and

2. Acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to the holder of a valid registry identification card as that term is defined in NRS 453A.140.

~~"Medical marijuana establishment" means [any medical marijuana cultivation facility, medical marijuana dispensary, medical marijuana production facility, or medical marijuana testing laboratory.] :~~

- 1. A medical marijuana testing facility;**
- 2. A medical marijuana cultivation facility;**
- 3. A medical marijuana product manufacturing facility; or**
- 4. A medical marijuana dispensary.**

"Medical marijuana [~~production~~] **product manufacturing** facility" [~~means a business having the meaning ascribed in state law, registered with the State of Nevada, for the production of edible marijuana products or marijuana-infused products and acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells edible marijuana products or marijuana-infused products to medical marijuana dispensaries.~~] **has the meaning ascribed to the term "facility for the production of edible marijuana products or marijuana-infused products" in NRS 453A.105 and means a business that:**

- 1. Is registered with the Division of Public and Behavioral Health of the Department of Health and Human Services pursuant to NRS 453A.322; and**
- 2. Acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells edible marijuana products or marijuana-infused products to medical marijuana dispensaries.**

"Medical marijuana testing laboratory" [~~means a business having the meaning ascribed in state law, registered with the State of Nevada, which tests marijuana, edible marijuana products, and marijuana-infused products.~~] **has the meaning ascribed to the term "independent testing laboratory" in NRS 453A.107.**

"Messenger service" means a place wherein communications or other items are taken for eventual delivery to another place, or have been already delivered from another place to be receive at place, but in no event does said definition include a place where wages or bets are placed for delivery to another place where receipts from wages or bets have been delivered from other places.

"Metal storage container" means a fully enclosed unit, excluding semi-truck trailers, that houses storage items in the industrial, commercial and public districts. In addition, used temporarily at a construction site.

"Miniature golf course" means an area of land or a building, structure or premises or part thereof, operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range.

"Mobilehome" means any nonmotive but mobile facility with or without wheels, so designed contrived to permit occupancy thereof, for permanent living or sleeping purposes, when connected to utilities. Mobilehome does not include a travel trailer,

commercial coach, manufactured home, or any structure built in compliance with the requirements of Chapter 461 of the NRS.

"Mobilehome park" means a plot of ground divided into spaces, under the ownership or management of 1 person, firm or corporation for the purpose of locating 2 or more mobilehomes for dwelling or sleeping purposes, excluding the proprietor's unit.

"Mobilehome space" means a portion of land within a mobilehome park for the placement of a single mobilehome and the exclusive use of its occupants.

"Modular building" means an office, apartment, school, motel or other building, whether it is a total building or a room, which is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with regulations, adopted pursuant to Section 461.170 of the Nevada Revised Statutes, but does not include a mobilehome.

"Modular component" means any closed unit of construction which bears or requires any electrical, plumbing, heating, air conditioning or any other mechanical connection.

"Monopole" means a type of mount that is self-supporting with a single shaft of wood, steel or concrete and a platform (or racks) for panel antennas arrayed at the top. Vertical co-locations often have arrays at intermediate positions on the monopole.

"Mortuary or funeral chapel" means a facility in which bodies are prepared for burial or cremation; a facility where funeral services are conducted.

"Motel" means an establishment providing sleep accommodations on a transient basis less than 28 consecutive days total with the majority of the rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

"Mount" means the structure or surface upon which antennas are mounted. There are 4 types of mounts:

1. Roof-mount: Mounted on the roof of a building.
2. Side-mount: Mounted on the side of a building.
3. Ground-mount: Mounted on the ground.
4. Structure-mount: Mounted on a structure other than a building.

"Municipal building" means a structure or building in which services traditionally provided by local government, including water, sewer, roads, parks, police and fire protection are housed.

"Municipal garage" means a structure opened or operated by a municipality and used primarily for the parking and storing of vehicles owned by the general public.

"Museum" means a building having public significance by reason of its architecture or former use of occupancy or a building serving as a repository for a collection of natural, scientific, or literary curiosities or objects of interest, or works of art, and arranged, intended and designed to be used by members of the public viewing, with or without an admission charge, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

"Nightclub" means a commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing and musical entertainment are provided.

"Nonconforming building" means a legally constructed building or structure which does not conform in its construction, area, yard, requirements or height to the regulations of the district in which it is located or to the requirement of the Building Code currently adopted by Carson City.

"Nonconforming use" means the legally created use of a building, structure, or land which does not conform to the regulations of the district in which the use exists and a use for which the property owner has proved that alleged violations are legal nonconformities. Failure to prove this means that alleged violations are illegal and subject to prosecution. Proof submitted by the property owner must ascertain the date the nonconformity was established and that it conformed to the zoning code then in effect.

"Nonflammable definition" is as defined by the adopted Uniform Fire Code.

"Nontoxic definition" is as defined by the Carson City health department and Uniform Fire Code currently adopted by Carson City and regulations.

"Notary public" means one legally empowered to witness and certify documents and take affidavits and depositions.

"NRS" means the Nevada Revised Statutes.

"Nursery" means a place where young trees or other plants are grown for transplanting or for sale, and may also include the sale of related accessory supplies.

"Off-site parking" means parking provided for a specific use but located on a site other than the 1 on which the specific use is located.

"Off-street loading" means designated areas on a development site for the loading and unloading of cargo adjacent to buildings and not in the public right-of-way.

"Office" means a building used primarily for conducting the affairs of a business, profession, service, industry, or government and which may include ancillary services

for office workers, such as restaurants, newsstands, or other minor commercial establishments.

"Office" means a building or part thereof, designed, intended or used for the practice of a profession, the business of administrative, professional or clerical operations, including administrative governmental functions or mortgage companies.

"Office park" means a development which contains a number of separate office buildings, accessory and supporting uses and open space and which is designed, planned, constructed and managed on an integrated and coordinated basis.

"Omnidirectional antenna" means a "whip" antenna, this thin rod beams and receives a signal in all directions.

"Open air vending/transient sales lot" means an area that is used exclusively for the sale or taking of orders for any merchandise where such merchandise is displayed or sold in the open area; such activities are not part of the operation of an established business; and no permanent physical structures or facilities are used as integral parts of the sales or order-taking operations. The term includes the display or sale of merchandise in or in connection with a truck, trailer, or movable building of any type.

"Open space" means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

"Open space, common" means land within or related to a development that is designed and intended for the common use or enjoyment of the residents of the development and their guests.

"Open space, private" means open space, which is normally limited to the use of the occupants of a single dwelling or building or property that abuts such open space.

"Open space, public" means open space owned and maintained by a public agency for the use and enjoyment of the general public.

"Optician" means one who makes lenses and eyeglasses.

"Ordinary maintenance or repair" means, in regard to cultural resources, the maintenance or repair of any exterior architectural or environmental feature in or on a historic property to correct deterioration, decay or to sustain the existing form, and that does not involve a material change in design, material or other appearance.

"Other qualifying buildings" means new or recently constructed buildings having architectural character consistent with the significant buildings on the cultural resources inventory project report shall qualify with the recommendation of the historic architecture review commission.

"Outdoor entertainment facilities" means a predominately spectator use conducted in open, partially enclosed or screened facilities. Typical uses include sports arenas, racing facilities and amusement parks.

"Outdoor recreational facility" means uses and facilities pertaining primarily to recreational activities that are carried on primarily outside of structures.

"Outdoor sales" means the placement of goods for sale or for advertisement, outside of the building or structure.

"Outdoor sports and recreation facilities" means a recreational use conducted in open, partially enclosed, screened facilities. Typical uses include archery range, driving ranges, miniature golf courses, swimming pools, tennis courts, outdoor racquetball courts and water parks.

"Outside storage" means the use of a significant portion of a lot or area for the long-term retention (more than 24 hours) of materials and machinery or equipment, regardless of whether the materials, machinery, or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. The term does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.

"Overlay zone" means a zoning district that is imposed on 1 or more underlying base zoning districts and which provides additional requirements and limitations beyond those required by the underlying zoning district.

"Panel antenna" means a flat surface antenna usually deployed in 3 directional "sectors" (0 degrees to 120 degrees, 120 degrees to 240 degrees and 240 degrees to 360 degrees) and used to concentrate or beam the signal into (or from) that sector only.

"Panel van" means a van not exceeding 7 feet in height, 20 feet in length and maximum MGWV rating 9,500 pounds or less.

"Parcel of land" means any unit legally created and subsequently recorded by the Carson City recorder and shown on the Carson City assessor's maps.

"Park" means a publicly owned area of land, usually with grass, trees, paths, sports fields, playgrounds, picnic areas, and other features for recreation and relaxation.

"Parking, commercial" means a facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.

"Parking space" means a permanently maintained space on a lot or parcel, suitable for the parking of 1 automobile.

"Pavilion" means a light, sometimes ornamental roofed structure, used at parks or fairs for amusement or shelter.

"Pawnshop" means a business in which money is loaned on the security of pledges, deposits or other secured transactions in personal property.

"Perfumery" means an establishment that specializes in making or selling of perfume.

"Permit authority" means the planning and community development department, or other city entity vested with responsibility for issuing and enforcing of building, sign or other permits governed by this chapter.

"Permitted use" means a use authorized or permitted alone or in conjunction with other uses in a specified district and subject to the limitations of the regulations of such use district.

"Personal communications services" means an advanced form of radiotelephone services, capable of transmitting and receiving voice, data, text and video messaging, PCS operates in the 1,850-1,990 MHz range.

"Personal services" means a facility for the sale of personal services or an establishment primarily engaged in providing services involving the care of a person or his or her personal goods or apparel, but not including personal storage. Typical personal services include barber/beauty shop, permanent facial cosmetic shading, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe-deposit boxes, travel bureau, house cleaning services, weight reduction centers or florist (excluding greenhouses).

"Personal storage" means a facility with enclosed storage space, divided into separate compartments, each no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment but excludes workshops, hobby shops, manufacturing or commercial activity. Typical uses include mini-warehouses.

"Personal storage/retail/office complex" means a mixed use project consisting of retail and/or office space, and mini-storage units. The retail/office space shall comprise a minimum of 60% of a lot's street frontage and shall be constructed prior to or concurrently with the mini-storage units. For the purpose of this section, "mini-storage" means a building or group of buildings in a controlled access compound that contains varying sizes of individual stalls or lockers for the storage of customer's goods or belongings.

"Pet shop" means a retail establishment offering household pets for sale, and where all such creatures are housed within the building, but does not include a shop or place for breeding or overnight boarding of pets.

"Pharmacy" means a business where drugs or medicines are compounded or dispensed by state-licensed pharmacists and which may include retail sales of sundries such as stationery, magazines, cosmetic, and health items.

"Photographer's studio" means a studio used primarily for somebody who takes photographs as a profession, hobby, or art form.

"Planned unit development" means an area of land controlled by a landowner, which is to be developed as a single entity for a number of residential, commercial and/or industrial units, the plan for which does not correspond in lot size, height or size of structure, density, lot coverage and required open space of the regulations established in any one district.

"Post office" means the national organization or government department that is responsible for a country's mail service.

"Previously-owned children's merchandise business" means a business whose primary use is the retail sale of used and new merchandise which is designed for the specific purpose of clothing, entertaining, educating and/or caring for persons under 18 years of age including but not limited to clothing, costumes, play equipment, books, furniture and toys.

"Primary use" means the use for which a lot, structure or building or the major portion thereof, is designed. All primary uses require a permanent primary building on the parcel other than public parks, cemeteries or uses within the agriculture or conservation reserve districts.

"Principal dwelling unit" means the main dwelling unit on a parcel of land.

"Printer" means a person or company that prints books, newspapers, or magazines.

"Private club, lodge, or fraternal organization."

1.

Club. A facility of a private organization for the preparation and service of food and/or drink for members and their guests.

2.

Lodge or fraternal organization. A facility for a special purpose organization for the sharing of sports, arts, literature, politics, or other similar interests; but not primarily for profit or to render a service that is customarily carried on as a business.

"Professional business" means an establishment primarily engaged in rendering professional services to individuals and businesses on a fee or contract basis. Typical uses may include banking, financial institutions, stock brokerage, advertising, employment services, title company, etc.

"Professional occupation" means the occupation of a licensed engineer, licensed architect, certified public accountant, attorney, real estate broker, doctor, dentist, optometrist or similar profession.

"Prohibited use" means a use that is not permitted by any means in a particular zoning district.

"Project list" means the list of development projects which are eligible to make application for building permits from the development project category.

"Property owner" means a person or entity who has fee title to a parcel(s) of real property in the consolidated municipality of Carson City.

"Proposed work" means any construction, alteration, remodeling, restoration, rehabilitation, demolition or removal of the exterior of a building or structure, or the placement of signs or other activity affecting the exterior appearance of any building or structure or the placements of signs, fences, lighting, parking areas or site improvements, or any other activity affecting the exterior landscape features and spaces that characterize a property and its environment.

"Public areas" means parks, playgrounds, trails, paths, and other recreational areas and open spaces; scenic and historic sites; schools and other publicly operated buildings; and other places where the public is directly or indirectly invited to visit or permitted to congregate.

"Public community" means facilities and uses that serve primarily a larger portion of Carson City.

"Public garage" means a building or portion thereof designed and used for the storage, repair or servicing of motor vehicles or boats as a commercial venture.

"Public hearing" means a meeting, announced and advertised in advance and open to the public, in which members of the public have an opportunity to participate.

"Public improvement" means any improvement, facility or service, together with its associated site or right-of-way necessary to provide transportation, drainage, utilities or similar essential services and facilities and that are usually owned and operated by a governmental agency.

"Public neighborhood" means facilities and uses that serve only a small area of the city.

"Public nursery" means land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.

"Public notice" means the advertisement of a public hearing in a paper of general circulation and through the mail, or the posting of a sign on property, each designed to indicate the time, date, place and nature of a public hearing.

"Public or private school" means an educational institution for kindergarten, elementary, or secondary education, which is supported by a public, religious, or private organization.

"Public park" or "playground" means a park, playground, swimming pool, reservoir, golf course, or athletic field owned, operated and maintained by a local or state level government entity.

"Public regional" means federal, state and city facilities and uses whose main purpose is to sustain wide regional needs.

"Public right-of-way" means a strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a road, trail, waterline, sanitary sewer, and/or other public utilities or facilities.

"Public utility" means a regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the health, safety and welfare.

"Publisher" means a company or person that publishes products such as books, journals, or software.

"Quarry" means an open excavation from which stone or other material is extracted by blasting, cutting, or drilling.

"Radio broadcasting" means a building or portion of a building used as a place for radio broadcasting.

"Radio, TV, microwave communication tower" means a freestanding structure which supports antennae that transmit or receive any portion of the electromagnetic spectrum.

"Ramada" means any roof or shade structure installed, erected or used above a recreational vehicle and vehicle space or any portion thereof.

"Real estate agents and brokers" means a person who buys, sells, and leases property on behalf of somebody else.

"Recording studio" means a building or portion of a building used as a place to record music and videos. The term does not include broadcasting facilities.

"Recreation" means an activity that a person takes part in for pleasure or relaxation rather than as work.

"Recreational vehicle" means the following:

- 1.

Camping Trailer. A folding temporary dwelling structure, mounted on wheels and designed for travel, recreational and vacation use and shall include its towing vehicle;

2.

Motorhome. A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self propelled vehicle;

3.

Pickup Coach/Camper. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation;

4.

Travel Trailer. A vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation and vacation use. It shall have a body width not exceeding 8.5 feet, and a body length not exceeding 60 feet, including its towing vehicle;

5.

Park Model;

6.

A recreational vehicle is not allowed as a guest building in any zoning district.

"Recreational vehicle park" or "campground" means a parcel or tract of land containing 1 gross acre minimum land area, having as its principal use the transient rental of 2 or more spaces for recreational vehicles or camp spaces including accessory buildings and structures and uses. There will not be more than 30 spaces per acre. The term shall be synonymous with the term "campground." Use of land where unoccupied recreational vehicles are offered for sale or lease, or are stored, is not allowed in a recreational vehicle park.

"Recreational vehicle repair" means establishments primarily engaged in the provision of recreational vehicle repair services to individuals and households.

"Recreational vehicle sales" means the use of any building, land area, other premise for the display and sale of new or used automobiles generally but may include light trucks, vans, trailers, or recreation vehicles and including any vehicle preparation or repair work conducted as an accessory use.

"Recreational vehicle space" means a lot or parcel of land in a recreational vehicle park or campground containing a net minimum area of 1,000 square feet for the placement of a single recreational vehicle or camping space for the exclusive use of its occupants for transient dwelling purposes, including permitted accessory uses and structures.

"Recreational vehicle storage" means the keeping, in an enclosed, 100 percent screened area, "RV's" in the same place for more than 24 hours.

"Recycling collection center" means a facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper or clothing or other items for recycling purposes conducted totally within an enclosed structure or container. The term does not include processing except for "can banks" that crush cans as they are deposited.

"Recycling operations" means the process by which waste products are reduced to raw materials and transformed into new and often different products.

"Refuse and sewerage systems" means the entire system of sewer collection, treatment and disposal.

"Rental store" means a facility for the rental of general merchandise to the general public. (See also "video rental".)

"Repeater" means a small receiver/relay transmitter of not more than 20 watts output designed to provide service to areas which are not able to receive adequate coverage from the primary sending and receiving site in a wireless communications network.

"Required land area" means the minimum area of a lot or parcel necessary to permit its use under the provisions of this title.

"Required width" means the minimum area of a lot or parcel necessary to permit its use under the provisions of this title.

"Resort" means a group or groups of buildings containing more than 5 dwelling units and/or guest rooms and providing outdoor recreational activities that may include golf, horseback riding, swimming, shuffleboard, tennis and similar activities. A resort may furnish services customarily furnished by a hotel, including a restaurant, cocktail lounge and convention facilities. Has at least 15 percent of its land area devoted to usable open space in addition to required landscaping.

"Restaurant" means a business establishment whose principal business is the preparing and selling of meals of unpackaged food to the customer in a ready to consume state in nondisposable containers, and where the customer consumes these meals while seated at a table within the restaurant building. Alcoholic beverages may be served accessory to food service in a restaurant.

"Restaurant, fast food" means an establishment that offers quick food service and nonalcoholic beverages, accomplished through a limited menu of items already prepared, or prepared, fried or griddled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at a table. Ordering or pickup of food may take place from an automobile or drive through window.

"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, stationary, hardware and similar consumer goods. The term also includes secondhand dealers but excludes secondhand businesses as defined in this title.

"Revegetation" means the stabilization of disturbed or graded soils by replanting with indigenous or other natural appearing plant materials.

"Rezone" means to change the zoning classification of particular lots or parcels of land.

"Riding academy" means any establishment where horses are kept for riding, driving or stabling for compensation or as an accessory use in the operation of a club, association, ranch or similar establishment.

"Room" means an unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchen, closets, hallways and porches.

"Salvage or reclamation of products" means a facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered as another use under this title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. The term includes facilities for recycling recoverable resources, such as newspapers, magazines, books and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

"Sandblasting" means to clean, polish, or mark glass, metal, or a stone surface by applying a jet of pressurized air or steam mixed with sand or grit.

"Sanitary landfill" means a site where waste material has been buried.

"Sanitary station" means a facility used for removing and disposing of waste from recreational vehicle holding tanks.

"Satellite dish antennae" means any circular, dish shaped or similarly shaped structure designed to receive communications from orbiting satellites or other communication source, together with other equipment related to such purposes. Antennae with signs or lights affixed thereon shall be subject to regulations contained within Division 4 (Signs) of the development standards.

"School" means an institution of learning which offers instruction in the several branches of learning required to be taught in public and private schools of the state of Nevada.

"School, (K-12)" means a building or institution in which children and teenagers are taught, usually up to the age of 17.

"School, college, university" means an educational institution for higher learning that typically includes an undergraduate college and graduate schools in various disciplines, as well as medical and law schools and sometimes other professional.

"School, vocational" means a building or institution that specializes in teaching a specific skill, especially a practical vocation, including, but not limited to, business, dance, music, martial arts, trade or traffic. The term includes a school where student classes are relayed to a remote location, with limited student time spent at the building.

"Screening" means a permanent method of visually screening or obscuring from view from any property, sidewalk or roadway, one abutting or nearby structure or use from another.

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

"Secondhand dealer" means a specialty shop which deals solely in 1 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 percent 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.

"Security service" means a service employed by a private organization to guard and protect a building or other property.

Senior citizen home" means a dwelling providing shelter and services for people (age 60 or older) which may include living and sleeping facilities, meals, eating assistance, housekeeping, laundry services, dressing, room cleaning, medication reminders, nursing care, related medical services and personal care. Such facilities may also provide other services, such as counseling and transportation for routine social and medical appointments. Senior citizen home does not include a single-family dwelling pursuant to NRS 278.021.

"Seminary" means an institution for the training of candidates for the priesthood, ministry, rabbinate or other religious order.

"Setback" means the distance that structures, buildings or uses must be removed from their property lines.

"Setback area, front" means a yard area of which the width is measured the entire length of the front property line between the side property lines; and the depth is

measured as the distance between the street right-of-way line and the required front setback line.

"Setback area, rear" means a yard area of which the width is measured the entire length of the rear property line between the side property lines; and the depth is measured as the distance between the rear property line and the required rear yard setback line.

"Setback area, required" means that portion of a lot which is required to be unoccupied and unobstructed from the ground to the sky between a required setback line and the property line, except as otherwise provided in this title.

"Setback area, side" means a yard area of which the width is measured between the side property line and the required side yard setback line and the depth is measured between the front yard setback line and the rear yard setback line.

"Sewage works facility" means any facility designed for the treatment of sewage, which is operated at a municipality, government agency, or utility for collection, treatment, and disposal of waste and the furnishing of potable water.

"Sheriff's office and jail" means a secure place for keeping people found guilty of minor crimes or awaiting legal judgment.

"Shoeshine stand" means a place where the act of giving a clean or shiny finish to shoes by polishing them is done.

"Shopping center" means a group of 5 or more commercial establishments planned and developed as a unit on a single parcel or commonly managed parcels of land.

"Sight distance area" means the area included within that triangular area between the property line and a diagonal line joining points of the edge of pavement line 40 feet from the point of their intersection, or, in the case of rounded corners, the triangular area between the tangents to the curve and a diagonal line joining points on the tangent 40 feet from the points of their intersection. The tangents referred to are those at the beginning and at the end of a curve at the corner.

"Sight-obscuring fence or wall" means a permanent 100 percent sight-obscuring solid barrier with height of all bulk or stacked items not exceeding the highest portion of the fence or wall.

"Sign painting and lettering" means an establishment which specializes in the production of signs.

"Silk-screening" means a method of printing on paper or fabric in which ink is forced through areas of a silk screen that are not blocked out with an impermeable substance.

"Similar use" means a use that has the same characteristics as the specifically cited uses in terms of the following: trip generation and type of traffic, parking, and circulation, utility demands, environmental impacts, physical space needs and clientele.

"Single-family dwelling" means:

A building used to house not more than 1 family or a group of not more than 4 unrelated persons living together sharing a noncommercial single dwelling unit and common house keeping facilities: or

As provided for in NRS 278.021, a residential facility for groups in which 10 or fewer unrelated persons with disabilities reside with house parents or guardians who need not be related to any of the persons with disabilities; and if applicable, additional persons who are related to the house parents or guardians within the third degree of consanguinity or affinity. "Residential facility for groups," has the meaning ascribed to it in NRS 449.017, which means an establishment that furnishes food, shelter, assistance and limited supervision to an aged, infirm, mentally retarded or handicapped person. The term includes, without limitation, an assisted living facility. The term does not include an establishment which provides care only during the day; a natural person who provides care for not more than 2 persons in his own home; a natural person who provides care for 1 or more persons related to him within the third degree of consanguinity or affinity; a halfway house for recovering alcohol and drug abusers; or a facility funded by a division or program of the department of human resources; or

As provided for in NRS 278.021, a home for individual residential care and has the meaning ascribed to it in NRS 449.0105, which means a home in which a natural person furnishes food, shelter, assistance and limited supervision, for compensation, to not more than 2 persons who are aged, infirm, mentally retarded or handicapped, unless the persons receiving those services are related within the third degree of consanguinity or affinity to the person providing those services. The term does not include a halfway house for recovering alcohol and drug abusers; or

As provided for in NRS 278.021, a halfway house for recovering alcohol and drug abusers and has the meaning ascribed to it in NRS 449.008, which means a residence that provides housing and a living environment for alcohol and drug abusers and is operated to facilitate their reintegration into the community, but does not provide any treatment for alcohol or drug abuse; or

As provided for in NRS 278.0209, includes factory built housing that has been built in compliance with the standards for single-family residential dwellings of the Building Code most recently adopted by the International Conference of Building Officials and is further defined at NRS 461.080 as a residential building, dwelling unit or habitable room thereof which is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially

assembled on-site in accordance with regulations adopted by the division, but does not include a mobilehome or recreational vehicle park trailer; or

As provided for in NRS 278.02095, includes a manufactured home, defined at NRS 489.113, as a structure which is built on a permanent chassis and designed to be used with or without a permanent foundation as a dwelling when connected to utilities and transportable in 1 or more sections and 8 feet or more in body width or 40 feet or more in body length when transported, or when erected on site, contains 320 square feet or more and the term includes the plumbing, heating, air-conditioning and electrical systems of the structure. The term includes any structure which meets the requirements of NRS 489.113 with a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq, or was built in compliance with the requirements of Chapter 461 of NRS. The term does not include a recreational park trailer.

"Skating arena" means a building or structure where skating and/or uses associated with skating may be conducted.

"Skyline area" means an area at or near the highest points of a topographic feature and which area is designated as a skyline area on the skyline area map adopted pursuant to Division 7 (Hillside Development) of the development standards.

"Social services center/facility offices" means facilities providing social services directly to the community, such as food banks, blood banks, emergency shelters, crisis centers, etc.

"Softscape surface" means a level area covered with turf, clover, sand or a similar material acceptable for use by young children.

"Special use permit" means a specific discretionary approval for a use which has been determined to have unique circumstances, be more intense or to have a potentially greater impact than a permitted use within the same zoning district.

"Sports arena" means an indoor or outdoor area, surrounded by seating for spectators, where shows or sports events take place.

"Stable" means a building in which horses or livestock are sheltered or fed.

"Stained glass" means glass that has been colored so that it can be used to make a mosaic picture, especially in a window. Stained glass may be made by enameling, burning pigments into the surface, or by fusing metallic oxides with it.

"Standard conditions" means conditions which have been approved by the commission or board, and which are designed to be imposed as a matter of course, where applicable, on the approval of development projects.

"Storage" means to keep or store an item(s) for a period of 24 hours or longer in a given location for future use.

"Storage container" means a fully enclosed unit, excluding semi-truck trailers, that houses storage items in the industrial, commercial and public districts. In addition, used temporarily at a construction site.

"Story" means that part of a building lying between 2 floors or between the floor and ceiling of the highest usable level in the building, or as defined by the Building Code currently adopted by Carson City.

"Street" means a public thoroughfare which affords a primary means of access to abutting property.

"Street vendor" means a vendor of consumable products (edible or flowers).

"Streetscape" means the visual image of a street, including the combination of buildings, parking, signs, hardscape and softscape.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner and may include a root cellar or similar structure. Not included are residential fences, retaining walls, rockeries, decks not exceeding 30 inches in height above grade and similar improvements of a minor character.

"Summer camp" means a place, usually residential, offering outdoor recreational activities and skill development for children during the summer.

"Sundries" means small miscellaneous items, often of too little value to be enumerated.

"Tattoo parlor" means an establishment whose principal business activity is the placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.

"Taxidermist" means one who practices the art or skill of preparing, stuffing, and presenting dead animal skins so that they appear lifelike.

"Tea house" or "tea room" means a small restaurant facility, or accessory to a bed and breakfast use open to the public, serving items similar to soup, teas, coffees and sandwiches, limited to 1 meal per day.

"Temporary outdoor sales and activities" means all outdoor sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, seasonal merchandise sales, conducted in parking areas, sidewalks, or space not enclosed by a building. Temporary outdoor sales may also include related activities designed for

promotion such as music, food service or displays. Temporary outdoor sales excludes sales of recreational vehicles, vehicles, boats and similar products when conducted at their regular permanently licensed place of business in accordance with applicable zoning district standards. Temporary outdoor sales are temporary in nature in Carson City and subject to time limitations and are by nature non-recurring daily events.

"Tennis or swimming facility" means an improved area used for the playing of tennis or swimming activities.

"Testing laboratory" means a facility for scientific research and testing in technology intensive fields. Examples include biotechnology, pharmaceuticals, genetics, plastics, fabrics, heat transfer, and research facilities.

"Theater" means a building or part of a building devoted to showing motion pictures or for dramatic, dance, musical or other live performances.

"Three-sided parcel" means a parcel of land containing 3 property lines and is considered to have only a front yard and 2 side yards when determining setback requirements.

"Tour operator" means a person or company that organizes package tours.

"Tower" means a structure or framework, or monopole, that is designed to support wireless communication transmitting, receiving and/or relaying antennas and/or equipment.

"Towing services" means an establishment that provides for the removal and temporary storage of vehicles, but does not include disposal, disassembly, salvage, or accessory storage of inoperable vehicles.

"Tract sales office" means a temporary tract or subdivision office located on the property to which it is appurtenant, and only authorized until the sale of homes in the subdivision is completed.

"Trade school" means a facility for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machinery operation, or other similar trades or crafts which require the use of large equipment, or outdoor training activities, or both.

"Trailer" means a vehicle, other than a vehicle defined as recreational vehicle, that is without motor power and is designed for carrying persons, property, equipment, or other items on its own structure, including, but not limited to semi-trailers, utility trailers, flatbed trailers and hauling trailers.

"Trailer coach" means any building, structure, or vehicle equipped with wheels to facilitate movement from place to place or to travel on a public thoroughfare, and designed, used, and maintained for human habitation. Such definition shall include automobiles or trucks where used for living or sleeping purposes.

"Transfer" means either:

1. The change of ownership of a parcel to which an entitlement certificate has been issued; or
2. The change of an entitlement certificate from the original parcel to which it was issued to a second parcel.

"Transfer station" means a fixed facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site. This site does not include an infectious waste incineration facility.

"Transient dwelling purposes" means the continual rental of a recreational vehicle space or spaces to same persons for a period not to exceed 28 days (short term) or 180 days (extended stay).

"Transient occupancy" means occupancy of lodging facility on a nonpermanent basis, not to exceed 180 days.

"Transit passenger facility" means a facility for the loading and discharging of train or bus passengers.

"Transition zone" means a zoning district that permits uses compatible with uses permitted in 2 adjacent zones that, without the transition zones, could be considered incompatible to each other.

"Travel agency" means a business that arranges transportation, accommodations, and tours for travelers.

"Truck, pickup" means a vehicle with a maximum height of 10 feet and length of 22 feet, with the capacity to carry a maximum of 6 passengers and containing an attached sided but unenclosed cargo area. Pickup trucks have the capacity to carry an enclosed camper in the unenclosed cargo area.

"Truck rental" means a facility for the rental of new or used trucks. Trucks kept on the lot for rental purposes are not considered to be outside storage.

"Truck stop" means a roadside station that sells fuel for trucks and may include a restaurant for truck drivers.

"Trucking and hauling services" means a building or a portion of a structure where cargo is stored or where trucks load and unload cargo on a regular basis.

"Use separations" means areas of undeveloped property separating different land uses within a business park. The purpose of the use separation is to combine landscaping, drainage, security, and to provide adequate access to light, air, and physical separations between business, commercial and residential uses.

"Utility company" means an agency or public franchise which provides the public with water, electricity, gas, heat, steam, communication, sewage collection or other similar service for a fee.

"Utility connection fee, also called sewer (and/or) water connection fee" means that fee collected by the city pursuant to Chapters 12.01 and 12.03.

"Utility substations" means an assembly of equipment for electrical, telephone, gas, or other utility company use to provide local distribution of services.

"Variance" means to request a departure from or not to be in full compliance with the provisions of the zoning ordinance requirements for a specific parcel, except for uses, without changing the zoning ordinance or the underlying zoning of the parcel. A variance is granted only upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same zoning district. Because of special circumstances applicable to the property, strict application to the provisions of the development code standards and requirements deprives such property of privileges enjoyed by others in the vicinity. A self imposed hardship is not a legitimate ground or reason for a variance approval.

"Variety store" means a retail store that sells a wide range of inexpensive items.

"Vehicle" means any device in, upon, or by which any person or property is or may be transported or drawn along a highway, except devices moved by human power or used exclusively upon stationary rails.

"Vending machine operator" means a business in which the primary use is the leasing of coin operated devices, which dispense a product or service without an attendant.

"Veterinary clinic" means a place where animals are given medical care, and boarding of animals is limited to short term care incidental to the clinic use.

"Video sales and rental" means an establishment primarily engaged in the retail rental or lease of video tapes, films, CD-ROMs, laser discs, electronic games, cassettes or other electronic media. Sales of film, video tapes, laser discs, CD-ROMs, and electronic merchandise associated with VCRs, video cameras, and electronic games are permitted accessory uses.

"Warehouse/distribution center" means an enclosed structure for the storage of goods for distribution or transfer to another location.

"Wastewater treatment facility" means the facility or group of units used for the treatment of industrial or domestic wastewater from sewer systems, and for the reduction and handling of solids and gases removed from such wastes.

"Watchman's quarters" means habitable unit ancillary to the primary use and used solely for security purposes, not to be rented.

"Water storage facility" means the system for collecting, storage and distribution of potable water from the source of supply to the consumer.

"Wedding chapel" means an establishment that primarily provides the facilities and services for weddings on a commercial basis. Such facilities may include a chapel, dressing rooms, offices, reception facilities and gardens. This definition does not include churches and similar congregations where weddings are an ancillary use.

"Whip antenna" means a very thin antenna, usually omnidirectional. Whip antennas have minimum silhouettes but also limited ranges.

"Wholesale sales" means the sale of goods in large quantities for resale by a retailer.

"Wholesale showroom facility" means a building used primarily for the storage of goods and materials and secondarily for the display of merchandise for wholesale purchase.

"Wildlife park" means a large enclosed area of land where wild animals wander relatively freely and people pay to drive around and observe them.

"Wind energy conversion system, private use" means a system consisting of a wind turbine, tower, and associated control or conversion electronics for the purpose of providing electrical power to a lawful principle use. A system having a rated capacity of ten (10) kilowatts (kW) or less for residential use or one hundred (100) kW or less for non-residential uses shall be considered a private use system for the purposes of the regulations. These systems are considered accessory uses in all zoning districts.

"Wind machine." The individual component of a Wind Energy Conversion System that converts kinetic energy from the wind into electrical energy, independent of the electrical conductors, electrical storage system, electrical metering, or electrical inverters.

"Winery" means a place where wine is made and or sold.

"Wireless communication facility" means all equipment buildings, and structures with which a wireless communication service carrier broadcasts and receives the radio-frequency waves which carry their services and all locations of said equipment or any part thereof.

"Wireless communication service provider" means an entity licensed by the Federal Communication Commission (FCC) to provide wireless communication services to individuals, businesses or institutions.

"Wireless communication services" means commercial mobile radio services, unlicensed wireless services, and common carrier wireless exchange access services as defined in the Telecommunications Act.

"Wrecking yard" means any place where more than 1 damaged, inoperable or obsolete machinery such as cars, trucks and trailers, or parts thereof, are stored, bought, sold, accumulated, exchanged, disassembled or handled.

"Yard, front" means a yard lying between the main building and the front lot line and extending across the full width of the lot or parcel. The front yard of a corner lot may face either street frontage.

"Yard, side" means a yard lying between the side lot line and the main building and extending from the front yard line to the rear yard line.

"Yard, rear" means a yard between the main building and the rear lot line and extending across the full width of the lot or parcel. The rear yard of a corner lot is that portion of the lot opposite to the front.

"Yard, street side" means a yard, abutting a street and lying between the street side lot line and the main building and extending from the front yard line to the rear yard line.

"Yards" means an open space on the same lot or parcel with a building and extending from the building to the nearest lot line.

"Youth recreation facility" means an indoor or outdoor facility designed and equipped for the conduct of sports, leisure time activities and other customary and usual youth recreation activities. Programs designed for the users may include leadership programs, education and career guidance, health and life skills, arts, sports, fitness, recreation, and other specialized youth programs.

"Zoo" means a park where live wild animals from different parts of the world are kept in cages or enclosures for people to come and see, and where they are bred and studied by scientists.

SECTION II:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), Section 18.04.135 (General Commercial (GC)) is hereby amended (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

18.04.135 General Commercial (GC).

The purpose of the GC District is to preserve a commercial district limited primarily to retail and wholesale sales of new and used material, repair and service facilities, and offices. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director [subject] **pursuant** to ~~[Title 18.02.115.8 (Outdoor Sales and Activities)]~~ **subsection 8 of CCMC 18.02.115, which establishes provisions relating to outdoor sales and activities.**

1. The Primary Permitted Uses in the GC District are retail and wholesale uses **as set forth below**, [~~listed below, plus~~] **in addition to** other uses of a similar nature. [~~All~~] **Except for those uses described in subsection 3 of CCMC 18.04.135 which establishes general commercial conditional uses that require a Special Use Permit, retail commercial uses as described in CCMC 18.04.130** [~~Retail Commercial Uses~~] are allowed [~~unless listed as conditional in GC district, except those appearing in section 18.04.135.3 General Commercial Conditional uses which require a Special Use Permit~~]:

Animal Hospital
Appliance Repair Shop
Archery Range
Assayer
Assembly (of product incidental to sales use and limited to 30% of the primary uses floor area)
Auction Sales
Automobile Repair
Ballroom
Billiard or Pool Hall
Bookbindery
Diaper Service
Display Designer
Express Office
Facial Cosmetic Shading, Permanent
Lithographer, Screen Printer
Nightclub
Parcel Delivery Service, Branch (off-street loading only)
Pawn Shop
Personal Storage Within An Enclosed Building (no storage of paints or chemicals)
Plumbing and Heating Equipment and Supplies
Second Hand Business
Sign Painting and Lettering
Sport Playing Field
Sports Arena
Taxidermist
Thrift Store
Tire Sales, Repair and Mounting
Upholstery (Wholesale, Retail, Installation and Incidental Manufacturing)
Warehouse

2. The Accessory Permitted Uses incidental to Primary Permitted Uses in the GC District are:

Automobile Pawn (accessory to automobile sales)

Home Occupation

Outside Storage (subject to Division 1 and 1.12 Outside Storage of the Development Standards)

Temporary Outdoor Sales subject to Title 18.02.115.8 (Outdoor Sales and Activities)

3. The Conditional Uses in the GC District which require approval of a Special Use Permit are:

Ambulance Service and Garage

Armored Car Service and Garage

Automobile Body Repair, Painting, Towing Service and Garage (vehicles must be stored within enclosed sight-obscured area). The following conditions shall apply to auto body repair in addition to all other requirements in this Chapter.

- a. Required minimum land area in the GC District for auto body repair shall be 12,000 square feet.
- b. All outside storage containers or other similar enclosures shall be screened to public rights-of-way by a maintained 100% sight obscuring fence or wall permanently installed and maintained at a minimum height of six feet.

Automobile Pawn (not accessory to automobile sales)

Bus Line Office, Service and Storage Garage

Cabinet Shop (manufacturing)

Cemetery, Mausoleum, Sarcophagus, Crypt

Child Care Facility

Community/Regional Commercial or Office Center

Congregate Care Housing/Senior Citizen Home

Crematorium

Equipment Rental (outside storage)

Farmers Market

Flea Market (indoor)

Golf Course and Driving Range

Hospital

Hotel, Residence

Medical Marijuana Dispensary **or Marijuana Retail Store** (subject to the provisions of Title ~~[18.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 (Medical Marijuana Establishments **and Marijuana Establishments**)), limited to those areas zoned General Commercial within Sections 29 through 32 of Township 15 N., Range 20 E., south of Moses Street (South Carson Street vicinity) and within Sections 1, 2, 9, 10, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E., east of the I-580 freeway (Highway 50 East vicinity).

Mobilehome Park

Municipal Well Facility

Permanent Outdoor Sales subject to Title 18.02.115.8 (Outdoor Sales and Activities)

Recreational Vehicle Park
Recycling Collection Center
Schools, K-12, College or University
Single Family Two-Family and Multi-Family Dwelling
Utility Substation
Welding Supplies and Gases (Retail and Wholesale sales) (no filling or repair of cylinders)
Youth Recreation Facility

SECTION III:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), Section 18.04.145 (Limited Industrial (LI)) is hereby amended (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

18.04.145 Limited Industrial (LI). The LI District is established to preserve an industrial district restricted to a use engaged in the assembly or manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director ~~subject~~ **pursuant** to ~~[Title 18.02.115.8 (Outdoor Sales and Activities)]~~ **subsection 8 of CCMC 18.02.115, which establishes provisions relating to outdoor sales and activities.** Unless a use is specifically listed **set forth** in this section, uses listed in the General Industrial district are prohibited in the ~~[Limited Industrial district]~~ **LI District.**

1. The Primary Permitted Uses in the LI District are ~~[this list plus]~~ **the uses set forth below, in addition to** other uses of a similar nature. ~~[All]~~ **Except for residential uses, all general commercial uses** ~~[permitted]~~ **as described in Section CCMC 18.04.135** ~~[General Commercial which]~~ **that** are not listed as LI conditional uses ~~[and except for residential uses]~~ **are allowed.** Residential uses are not permitted or conditionally permitted in the LI zone. A watchman's quarters is permitted pursuant to the requirements of this title in conjunction with a primary permitted use.

Assembly, fabricating and manufacturing of products and materials in accordance with the purpose of this section.

Bottling plant/brewery facility
Grinding and sharpening of tools

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the LI District are:

Machine shop (limited to in house products or internal use)

Outside Storage (subject to Division 1 and 1.12 Outside Storage of the Development Standards);
Storage containers (subject to the Director’s approval and Division 1 and 1.10 Personal Storage of the Development Standards);
Temporary Outdoor Sales and Activities (subject to Title 18.02.115.8 (Outdoor Sales and Activities)).

3. The Conditional Uses in the LI District which require approval of a Special Use Permit are:

Auto body repair, painting, towing (vehicles must be stored within enclosed sight obscured area)
Child care facility
Flea market (indoor only)
Golf course and/or driving range
Government facilities
Loading Space(s) within 250 feet of a residential zoning district or use
Marijuana Distributor (subject to the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.20 (Medical Marijuana Establishments and Marijuana Establishments))
Metallurgical lab
Municipal well facility
Outside storage (as a primary permitted use) subject to Division 1 and 1.12 Outside Storage of the Development Standards
Permanent Outdoor Sales subject to Title 18.02.115.8 (Outdoor Sales and Activities)
Storage business (outside storage within enclosed sight obscured area)
Tattoo parlor (body piercing, accessory)
Utility Substation
Welding supplies and gases (retail and wholesale sales)

4. The following uses are prohibited within the LI District:

Residential Uses (except Watchman’s Quarters as described in 18.04.145.1)
Schools (except vocational), K-12, College or University

SECTION IV:

That Title 18 (Zoning), Chapter 18.04 (Use Districts), Section 18.04.150 (General Industrial (GI)) is hereby amended (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

18.04.150 General Industrial (GI). The GI District is established to preserve an industrial district for uses engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or

manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Specific uses ~~[listed]~~ **set forth in** this section are prohibited in the Limited Industrial and Air Industrial Park districts unless specifically ~~[listed]~~ **identified** as a use in those sections.

1. The Primary Permitted Uses in the GI District are ~~[this list plus]~~ **the uses as described below, in addition to** other uses of a similar nature. Any permitted or conditional uses ~~[listed]~~ **described** in any commercial **district** or limited industrial ~~[zone]~~ **district** which are not ~~[listed]~~ **identified** as GI conditional uses, but not outdoor recreational use or facility nor any residential use except as watchman's quarters in conjunction with those uses permitted exclusively in GI District.

- Automobile pawn shop
- Automobile storage (no dismantling)
- Blacksmith shop
- Building material (bulk)/lumber storage yard and sales
- Butane, propane storage and sales
- Cannery
- Cement or direct products sale
- Cesspool cleaner yard
- Contractor's large equipment, sales, repair, supplies, or storage
- Crane storage yard
- Crating and hauling depot or storage
- Crop dusting equipment yard
- Die casting
- Distillation of liquor
- Dog training school
- Dry cleaning plant
- Equipment storage yard
- Farm products storage
- Grain elevator
- House mover
- Industrial service firms
- Laboratories (chemist, veterinarian, and research)
- Machine shop
- Metal working plant, plating, shaping and bending process
- Paving contractor large equipment, sales, service and storage
- Planing mill
- Power plant (electrical or gas)
- Radio studio or TV station with antenna towers
- Recycle center
- Road building equipment sales and storage
- Septic tank service
- Sheet metal shop
- Stone grinding

Tattoo Parlor (body piercing, accessory)
Termite or pest control
Tire rebuilding, retreading
Tractor service
Tree service
Truck depot, parking, repair
Welding shop
Wood storage yard screened from view from public right-of-way with six foot sight obscuring fence or wall

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the GI District are:

Mechanical equipment building
Storage containers subject to the Director's approval and Division 1 and 1.10 Personal Storage of the Development Standards

3. The Conditional Uses in the GI District which require approval of a Special Use Permit are:

Acetylene manufacturing and sale
Acid manufacturing and sales (including class H products)
Adult entertainment facility (no adult entertainment facility shall be located within 1,000 feet of a park, church, school, residential use district or other adult entertainment facility or in any general industrial district located west of the east boundary of Sections 21, 28 and 33 of T.16 N., R. 20 E. , M.D.B.M., Sections 4, 9, 16, 21, 28 and 33 of T. 15 N., R. 20 E., M.D.B.M. and Sections 4 and 9 of T.14 N., R. 20 E.) No outcall performers are permitted outside of this area
Ammunition manufacturing
Asphalt manufacturing
Auto wrecking yards
Bulk station (fuel)
Chemical manufacturing
Child care facility (accessory use to a business within the main building or within an accessory building)
Chromium plating
Coal and coke yard
Concrete batch plant
Contractor's wrecking yard
Creosote manufacturing
Disinfectant manufacturing
Dye manufacturing
Dump refuse or disposal yard
Electroplating works
Explosive manufacturing

Flea market
Foundry
Excavation/mining, gravel pit
Hide and tallow processing
Incineration of animals and garbage
Insecticide manufacturing
Junk dealer's yard
Leather tanning
Loading space(s) within 250 feet of a residential zoning district or use
Lubrication compounds, manufacturing

Marijuana Distributor (subject to the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.20 (Medical Marijuana Establishments and Marijuana Establishments))

Matches, manufacturing

Meat packer

Medical Marijuana Cultivation Facility **or Marijuana Cultivation Facility** (subject to the provisions of Title ~~[48.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 **(Medical Marijuana Establishments and Marijuana Establishments)**), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation

Medical Marijuana Dispensary **or Marijuana Retail Store** (subject to the provisions of Title ~~[48.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 **(Medical Marijuana Establishments and Marijuana Establishments)**), limited to those areas zoned General Industrial within Sections 1, 2, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E (Highway 50 East vicinity).

Medical Marijuana ~~[Production]~~ **Product Manufacturing Facility or Marijuana Product Manufacturing Facility** (subject to the provisions of Title ~~[48.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 **(Medical Marijuana Establishments and Marijuana Establishments)**), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation

Medical Marijuana Testing **Facility [Laboratory] or Marijuana Testing Facility** (subject to the provisions of Title ~~[48.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 **(Medical Marijuana Establishments and Marijuana Establishments)**), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation

Metal ore reduction
 Milling company
 Motorcycle race track
 Ore dump
 Oxygen manufacturing
 Paint Manufacturing
 Plastic products manufacturing
 Quarry, stone
 Rendering works
 Rock crushing and stripping
 Scrap metal processing
 Sewer service equipment yard
 Slaughterhouse
 Stockyard
 Tannery
 Topsoil stripping
 Tire manufacturing
 Utility Substation
 Water, oil, gas or geothermal drilling operations
 Other conditional uses requiring a special use permit are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare.

4. The following uses are prohibited within the GI District:
 Any use or facility on any property that shares any portion of a boundary with the Carson City Airport and which is prohibited under federal law or regulation, until such time the use is not prohibited under federal law or regulation
- Churches
 - Institutions
 - Outdoor recreational use or facility
 - Residential uses
 - Schools (other than vocational)

SECTION V:

That Section III of Ordinance No. 2017-5, which amended Title 18 (Zoning), Chapter 18.04 (Use Districts), by adding thereto a new Section 18.04.152 (General Industrial Airport) is hereby amended (**bold, underlined** text is added, ~~stricken~~ text is deleted) as follows:

18.04.152 General Industrial Airport (GIA). The GIA District is established to preserve an industrial district which combines the uses engaged in the assembly or manufacture of products from previously prepared materials with the uses engaged in the basic processing and manufacturing of materials or products predominantly from

extracted or raw materials, while continuing to promote accessory airport and support services due to the proximity of the district to the Carson City Airport.

1. The Primary Permitted Uses in the GIA District are any permitted or conditional uses specifically listed in the General Industrial, Limited Industrial and Air Industrial Park districts which are not listed as GIA conditional uses, plus other uses of a similar nature. Any permitted uses listed in any commercial district including outdoor recreational use or facility and any residential use are prohibited, with the exception of watchman's quarters in conjunction with those uses permitted exclusively in the GIA District.

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the GIA District are:
Mechanical equipment building
Storage containers subject to the Director's approval and Division 1 and 1.10
Personal Storage of the Development Standards

3. The Conditional Uses in the GIA District which require approval of a Special Use Permit are:

Acetylene manufacturing and sale
Acid manufacturing and sales (including class H products)
Ammunition manufacturing
Asphalt manufacturing
Auto wrecking yards
Bulk station (fuel)
Chemical manufacturing
Child care facility (accessory use to a business within the main building or within an accessory building)
Chromium plating
Coal and coke yard
Concrete batch plant
Contractor's wrecking yard
Creosote manufacturing
Disinfectant manufacturing
Dye manufacturing
Dump refuse or disposal yard
Electroplating works
Explosive manufacturing
Flea market
Foundry
Excavation/mining, gravel pit
Hide and tallow processing
Incineration of animals and garbage
Insecticide manufacturing
Junk dealer's yard

Leather tanning

Loading space(s) within 250 feet of a residential zoning district or use

Lubrication compounds, manufacturing

Marijuana Distributor (subject to the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.20 (Medical Marijuana Establishments and Marijuana Establishments))

Matches, manufacturing

Meat packer

Medical Marijuana Cultivation Facility **or Marijuana Cultivation Facility** (subject to the provisions of Title ~~[18.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 **(Medical Marijuana Establishments and Marijuana Establishments)**), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation

Medical Marijuana ~~[Production]~~ **Product Manufacturing Facility or Marijuana Product Manufacturing Facility** (subject to the provisions of Title ~~[18.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 **(Medical Marijuana Establishments and Marijuana Establishments)**), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation

Medical Marijuana Testing **Facility [Laboratory] or Marijuana Testing Facility** (subject to the provisions of Title ~~[18.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.20 **(Medical Marijuana Establishments and Marijuana Establishments)**), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation

Metal ore reduction

Milling company

Motorcycle race track

Ore dump

Oxygen manufacturing

Paint Manufacturing

Plastic products manufacturing

Quarry, stone

Rendering works

Rock crushing and stripping

Scrap metal processing

Sewer service equipment yard

Slaughterhouse

Stockyard
Tannery
Topsoil stripping
Tire manufacturing
Utility Substation
Water, oil, gas or geothermal drilling operations
Other conditional uses requiring a special use permit are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare.

4. The following uses are prohibited within the GIA District:
- Adult Entertainment Facility
 - Any permitted use listed in any commercial district
 - Any use or facility on any property that shares any portion of a boundary with the Carson City Airport and which is prohibited under federal law or regulation, until such time the use is not prohibited under federal law or regulation
 - Churches
 - Institutions
 - Medical Marijuana Dispensary
 - Outdoor recreational use or facility
 - Residential uses
 - Schools (other than vocational)

SECTION VI:

That Title 18 (Zoning), Chapter 18.16 (Development Standards), Division 1 (Land Use and Site Design), Section 1.20 (Medical Marijuana Establishments), is hereby amended as **(bold, underlined)** text is added, ~~{stricken}~~ text is deleted) as follows:

1.20 Medical Marijuana Establishments and Marijuana Establishments.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for Medical Marijuana Establishments **and Marijuana Establishments**, ~~[including Cultivation Facilities, Dispensaries, Production Facilities, and Testing Laboratories, as defined in Title 18 and NRS,]~~ in addition to other standards for commercial and industrial development.

1. The following standards apply to all Medical Marijuana Establishments **and Marijuana Establishments:-**
 - a. All Medical Marijuana Establishments ~~[(MMEs)]~~ **and Marijuana Establishments** require ~~[approval]~~ **the issuance** of a Special Use Permit. Special Use Permits for ~~MMEs~~ **Medical Marijuana Establishments and Marijuana Establishments** are only valid at

~~[a given]~~ **the specific** location for **which** ~~[the operator who obtains the Nevada State certificate for that facility]~~ **a person has obtained the required approval through the applicable state agency to operate as a Medical Marijuana Establishment or Marijuana Establishment.** ~~[The]~~ **A Special Use Permit** ~~[approval shall expire and become]~~ **that is issued in accordance with this Division automatically expires and shall be deemed null and void if the** ~~[MME]~~ **Medical Marijuana Establishment or Marijuana Establishment** ~~[operator]~~ loses or otherwise forfeits ~~[his or her State certificate to operate that facility]~~ **the required state approval to operate. A Special Use** ~~[Permits are non-transferable]~~ **Permit issued in accordance with this Division is not transferable** between operators and locations within Carson City. **Except as otherwise provided in this Division and notwithstanding any other provision of CCMC, a separate Special Use Permit is not required for a Medical Marijuana Establishment or Marijuana Establishment that will be established in an existing location at which a Medical Marijuana Establishment or Marijuana Establishment in good standing already operates. The expansion of any location of a Medical Marijuana Establishment or Marijuana Establishment that will result in an increase of more than ten (10) percent of the space in which the Medical Marijuana Establishment or Marijuana Establishment has been approved to operate requires the issuance of an amended Special Use Permit.**

- b. ~~[No]~~ **The** consumption of ~~[Medical Marijuana]~~ **marijuana** products ~~[shall occur]~~ **is prohibited** on the premises of any ~~[MME]~~ **Medical Marijuana Establishment and Marijuana Establishment.**

- c. All business activities related to ~~MMEs~~ **Medical Marijuana Establishments and Marijuana Establishments**, including, **without limitation**, cultivation, ~~[shall]~~ **must** be conducted indoors; **and** within a permanent building. The use of ~~[office trailers]~~ **an office trailer** or other temporary ~~[structures]~~ **structure** is prohibited. All ~~[MMEs shall have]~~ **Medical Marijuana Establishments and Marijuana Establishments must at all times maintain** an **interior and exterior** appearance ~~[, both as to the interior and exterior, which]~~ **that** is professional, orderly, dignified; and consistent with the traditional style of pharmacies and medical offices.

- d. ~~[Outside]~~ **The outdoor** display or ~~[sales]~~ **sale** of ~~[MME]~~ **any Medical Marijuana Establishment or Marijuana Establishment** merchandise ~~[shall be]~~ **is** prohibited.
- e. Accessory outside storage for ~~[MMEs shall]~~ **Medical Marijuana Establishments and Marijuana Establishments must** comply with **the provisions of** Title ~~[48.16]~~ **18 Appendix (Carson City Development Standards)**, Division 1.12 ~~[Outside Storage]~~.
- f. Access to ~~[the MME shall be restricted in compliance]~~ **Medical Marijuana Establishment or Marijuana Establishment must comply** with ~~[State]~~ **all applicable state and federal laws and regulations.**
- g. ~~[No MME related products shall]~~ **Medical Marijuana Establishment and Marijuana Establishment merchandise and products must not** be visible **when viewed** from outside the building **in which the Marijuana Establishment or Marijuana Establishment is located.**
- h. ~~[Sign Requirements.]~~ All MME signage shall **for Medical Marijuana Establishments and Marijuana Establishments must** be discreet, professional~~[,]~~ and consistent with the traditional style of signage for pharmacies and medical offices. All ~~[MMEs shall follow the sign regulations for Office Uses in the]~~ **signage for Medical Marijuana Establishments and Marijuana Establishments must satisfy the requirements set forth in Division 4, [Development Standards, Division 4,]** except that **the height of a** freestanding sign ~~[height]~~ for ~~[Cultivation Facilities, Production Facilities, and Testing Laboratories shall be]~~ **the following facilities is** limited to **not more than ten (10)** feet, **as** consistent with sign height requirements for industrial uses~~[,]~~ :
- (1) **Medical Marijuana Cultivation Facility and Marijuana Cultivation Facility.**
 - (2) **Medical Marijuana Product Manufacturing Facility and Marijuana Product Manufacturing Facility.**
 - (3) **Medical Marijuana Testing Facility and Marijuana Testing Facility.**
- i. ~~[Parking Requirements. Parking shall]~~ **Off-street parking must** be provided for ~~[MMEs as follows]~~ **Medical Marijuana Establishments and Marijuana Establishments in accordance with the following:**

- (1) **For Medical Marijuana Dispensaries and Marijuana Retail Stores:** ~~[-One]~~ **A minimum of one** space ~~[per]~~ **for every** 300 square feet of gross floor area.
 - (2) **For Medical Marijuana Cultivation Facilities and Marijuana Cultivation Facilities:** ~~[-One]~~ **A minimum of one** space ~~[per]~~ **for every** 1,000 square feet of gross floor area.
 - (3) ~~[Production]~~ **For Medical Marijuana Product Manufacturing Facilities**~~[-One]~~ **and Marijuana Product Manufacturing Facilities:** **A minimum of one** space ~~per~~ **for every** 500 square feet of gross floor area.
 - (4) **For Medical Marijuana Testing** ~~[Laboratories. One]~~ **and Marijuana Testing Facilities:** **A minimum of one** space ~~[per]~~ **for every** 400 square feet of gross floor area.
- j. ~~[No]~~ **Notwithstanding any other provision of CCMC, not** more than two **Medical Marijuana Dispensaries** ~~[shall be permitted]~~ **are allowed to operate at the same time** in Carson City.
- k. Marijuana Retail Stores may only be co-located with a Medical Marijuana Dispensary that is operating in good standing.**
- ~~[k]~~ **1.** A ~~[MME shall not be located]~~ **Medical Marijuana Establishment or Marijuana Establishment is prohibited** within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12, or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a **and any other** center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, ~~[that existed]~~ **which already exists** on the date ~~on~~ **which** the application for the proposed ~~[MME was]~~ **Medical Marijuana Establishment or Marijuana Establishment is** submitted to the ~~[State Health Division]~~ **applicable state agency for approval to operate, as** measured on a straight line from the **property line of the** nearest **such** school or ~~[community]~~ facility ~~[property line]~~ to the front door or primary entrance of the ~~[MME]~~ **Medical Marijuana Establishment or Marijuana Establishment.**

2. The following standards apply to all Medical Marijuana Dispensaries: :

- a. A single point of secure public entry [~~shall~~] **must** be provided and identified.
 - b. Hours of operation [~~shall be~~] **are** limited to **between** 7:00 a.m. [~~to~~] **and** 8:00 p.m., [~~seven days per week~~] **daily**.
 - c. Drive-through service is prohibited.
 - d. A **Medical Marijuana** Dispensary [~~shall not be located~~] **or Retail Marijuana Store is prohibited** on **any** property, or within a shopping center with frontage, **that is located** on the same street on which a residentially-zoned property is **also** located unless the [~~Dispensary~~] **dispensary or store** is located more than 300 feet from the residential property, **as** measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the [~~Dispensary~~] **dispensary or store**.
3. [~~Special Use Permit review standards. The~~] **In addition to the required findings for a Special Use Permit, the** following [~~shall~~] **standards must also** be considered in the review of [~~any~~] **a request for a Special Use Permit for a Medical Marijuana Dispensary or Marijuana Retail Store to be** located within the General Industrial zoning district [~~in addition to the required Special Use Permit findings~~]:
- a. That the proposed **Medical Marijuana** Dispensary **or Marijuana Retail Store** is located where sufficient, convenient and safe access is provided to the public.
 - b. That the proposed location has adequate lighting and street improvements for a use providing public access.

SECTION VII:

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

PROPOSED on _____, 2017.

PROPOSED by _____.

PASSED _____, 2017.

VOTE: AYES: SUPERVISORS: _____

NAYS: SUPERVISORS: _____

ABSENT: SUPERVISORS: _____

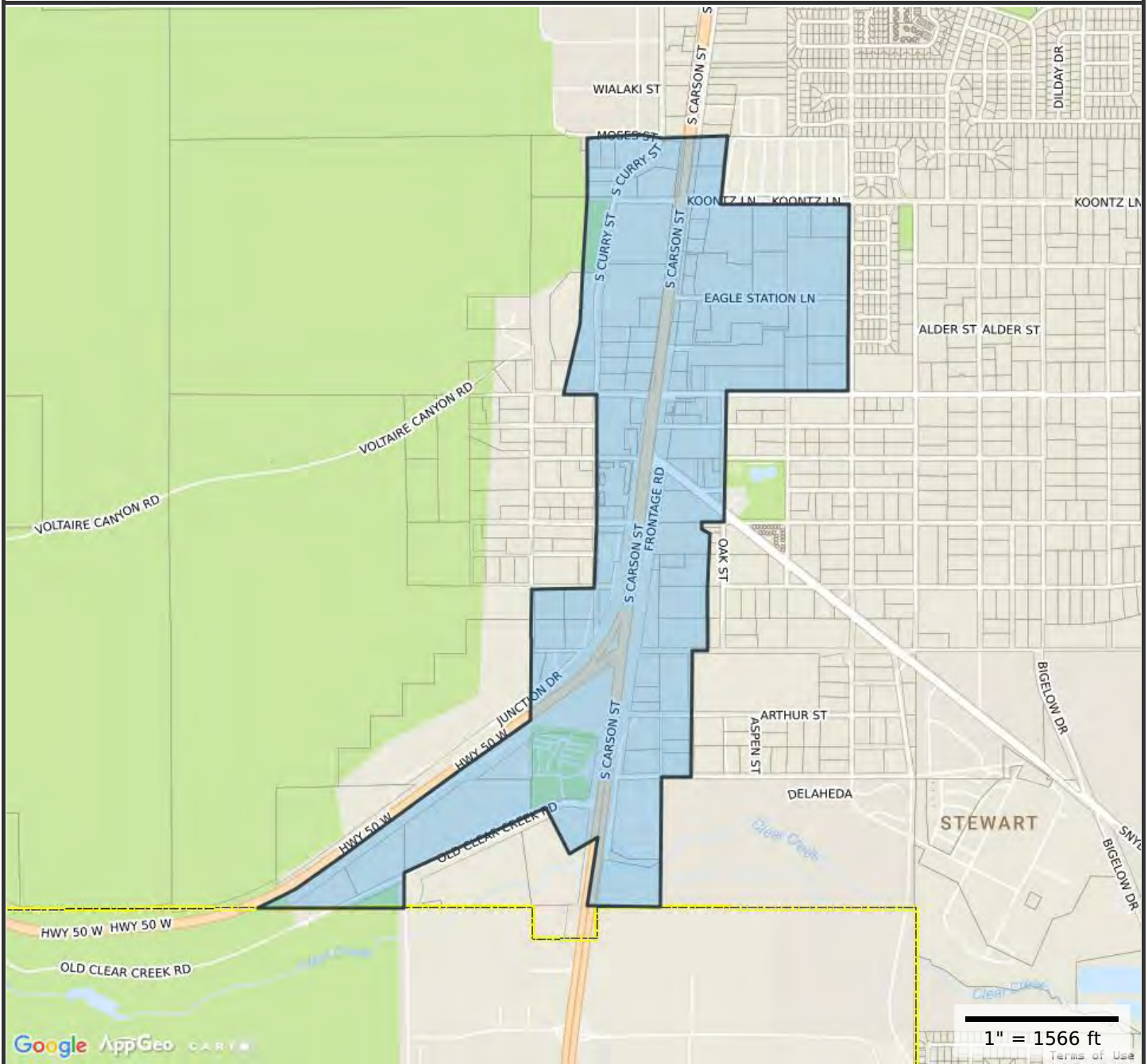
Robert Crowell, Mayor

ATTEST:

SUE MERRIWETHER
CLERK/RECORDER

This ordinance shall be in force and effect from and after the _____ day of _____, 2017.

Permitted Zoning for Marijuana Retail Stores (South)

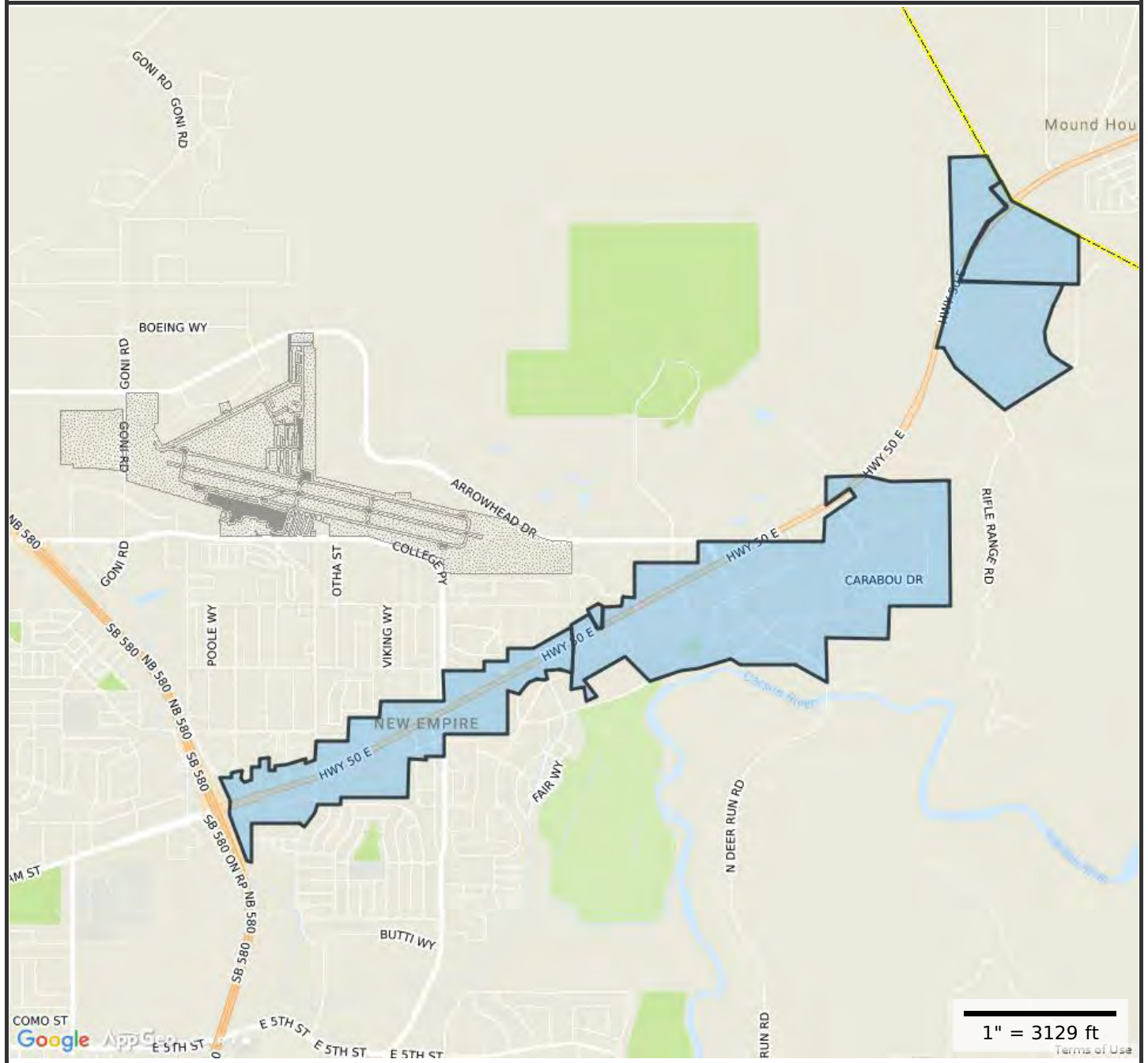


**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Carson City , NV makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 07/13/2017
Properties updated 07/13/2017

Permit Zoning for Marijuana Retail Stores (East)

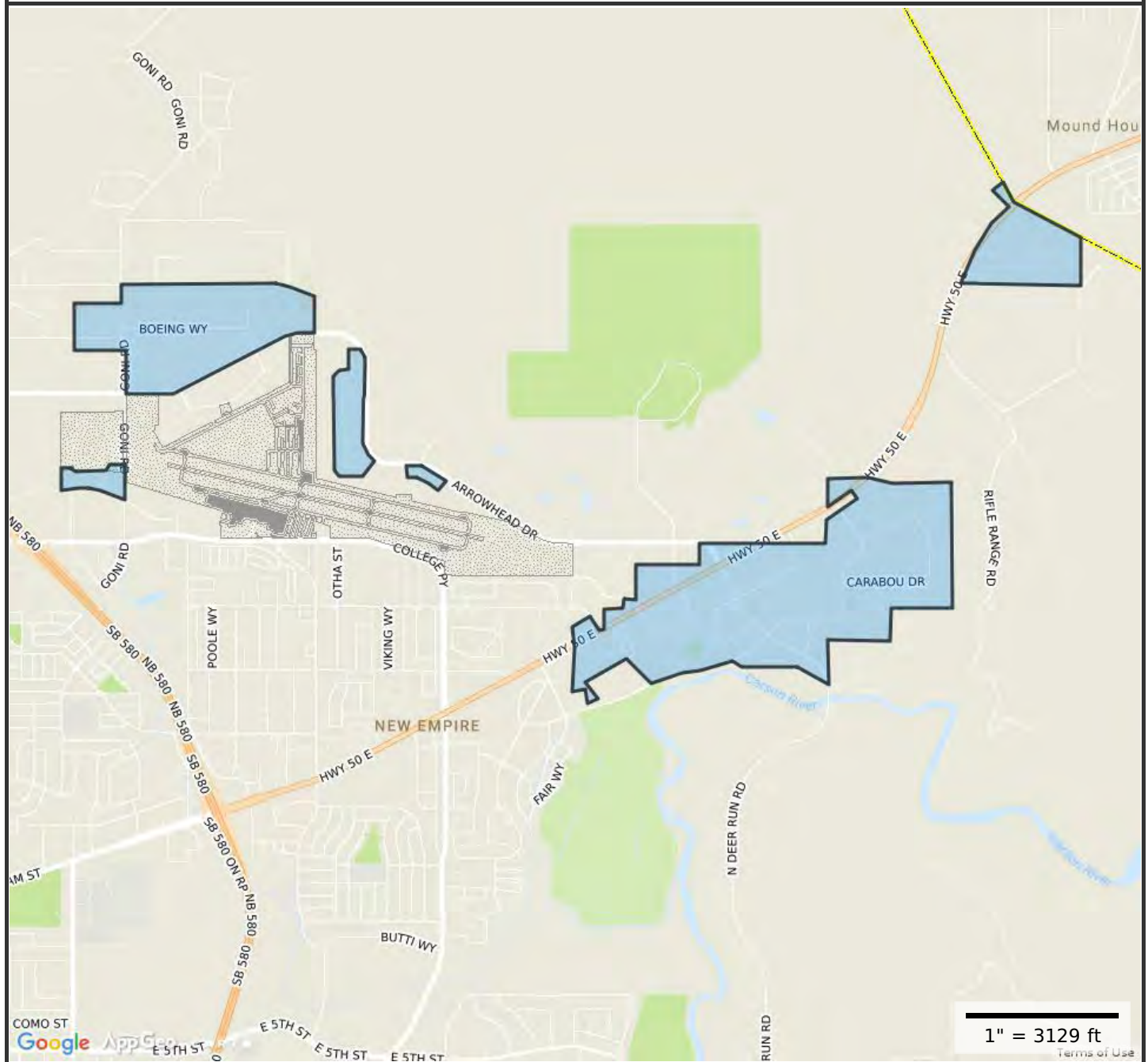


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Parcels updated 07/13/2017
Properties updated 07/13/2017

Permitted Zoning for Marijuana Cultivation, Product Manufacturing, Testing, and Distribution Facilities



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Parcels updated 07/13/2017
Properties updated 07/13/2017

Limited Industrial Zoning District

(Additional Zoning for Marijuana Distributors)



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Parcels updated 07/13/2017
Properties updated 07/13/2017

OVERVIEW OF MARIJUANA LAWS AND LEGISLATION (2017)

*Presented by the Nevada Association of
Counties (NACO)*



IT'S LEGAL IN NEVADA

- Medical Marijuana
- Question 2 (IP2) passed by the voters of Nevada in 2016
- Legislation ~ State laws, passed in the 2017 Session of the Nevada Legislature
- State regulations to implement Question 2

QUESTION 2 ~ MARIJUANA IS NOW LEGAL TO POSSESS AND CONSUME THROUGHOUT NEVADA

- One Oz or less or
- 6 plants (12 max per home) if not within 25 miles of a dispensary
- No public consumption
- Must be 21 years old to purchase and use
 - Driving under the influence is illegal

QUESTION 2 ~ THE SALE AND CULTIVATION OF MARIJUANA IS LEGAL

- **IF a local government decides to permit marijuana businesses in their jurisdiction**
- The State of Nevada will license all businesses that produce, sell or handle marijuana
- The State of Nevada will strictly regulate all marijuana businesses
 - Security
 - Seed to sale tracking of marijuana
 - Screening of owners as well as employees
 - 21 or older to work or enter into MJ businesses
- The product (MJ) will be tightly regulated, tested, and labeled
- Q2 stipulates that employers still have the right to set policies for employees restricting marijuana use

CITY/COUNTY ROLE IN REGULATING MARIJUANA BUSINESSES

- Cities/Counties can decide whether they will allow businesses that sell, grow, and process MJ
- Location
- Health, safety, and welfare of residents
- Local business license and regulation
- Locals can impose a 3% fee on gross revenues of businesses, all other taxes and fees that are assessed return to the State

MJ LEGISLATION PASSED IN THE 2017 LEGISLATURE

- Local govt. may create regulations on MJ business that are more strict than the State in many areas.
- Packaging of the product – significant restrictions on packaging to attempt to keep away from kids, especially edibles
- Enable law enforcement to remotely access establishment video systems
- Establishments are the only places you can legally buy, from a real person
- Significant Limitations on advertising, to ensure it isn't marketed to children, mostly markets over 21, not at sporting events, public transit
- Marijuana events “social clubs” were not permitted, there will be no allowed public consumption of MJ

WHAT ARE OTHER COUNTIES DOING?

- Southern Nevada
 - Washoe County
 - Other Rural Counties
- *TOTAL NUMBER OF MJ DISPENSARIES?*

MJ ON TRIBAL LANDS

- Similar to States, Tribes may allow use, production, and sale of marijuana if they choose
- Governor Sandoval signed a bill to allow the State of NV to enter into agreements with tribes – goal of similar regulatory structure and oversight

TIMELINE

- Medical MJ dispensaries may be able to receive licenses from the State to sell recreationally as early as July 1
- Local Jurisdictions on their own timeline
- Early 2018 the State expects to have regulations in place to license additional permanent recreational MJ businesses

QUESTIONS?

~ THANK YOU ~



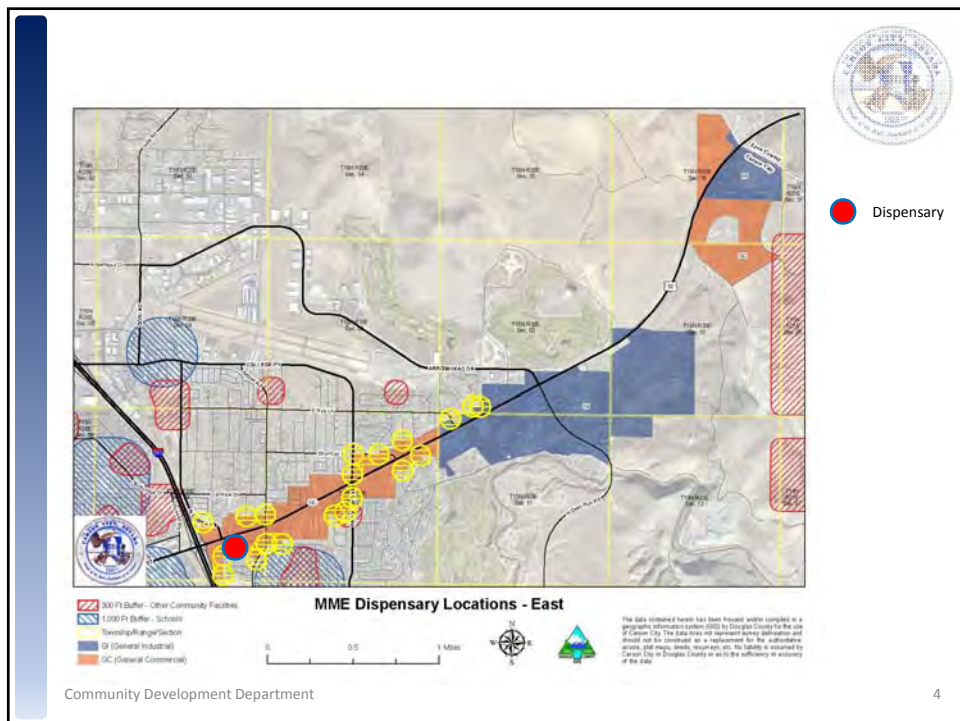
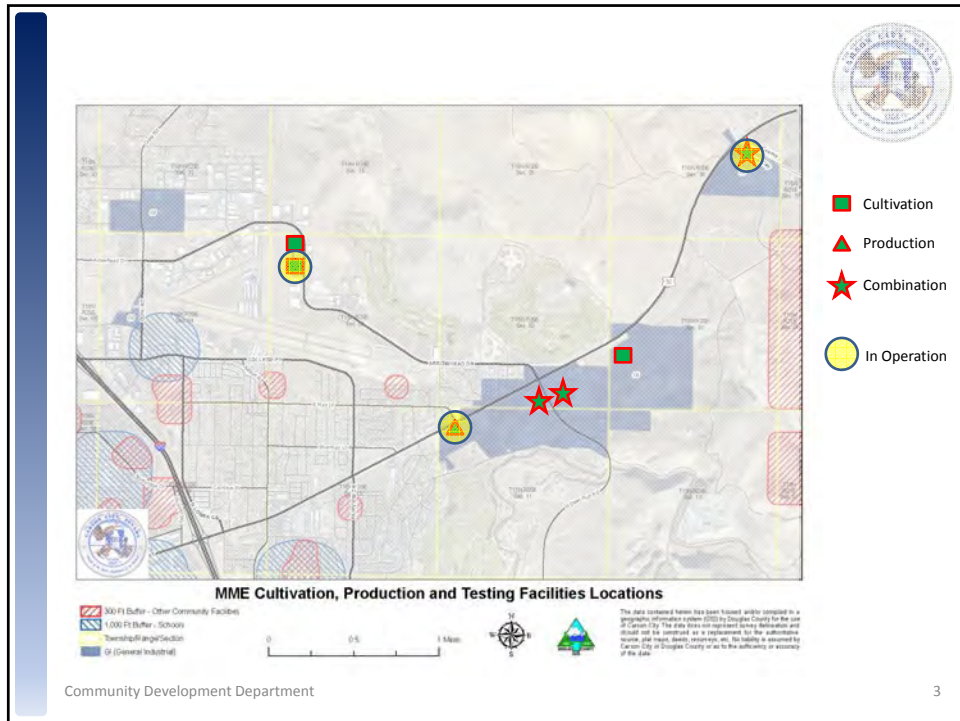
Community Development Department

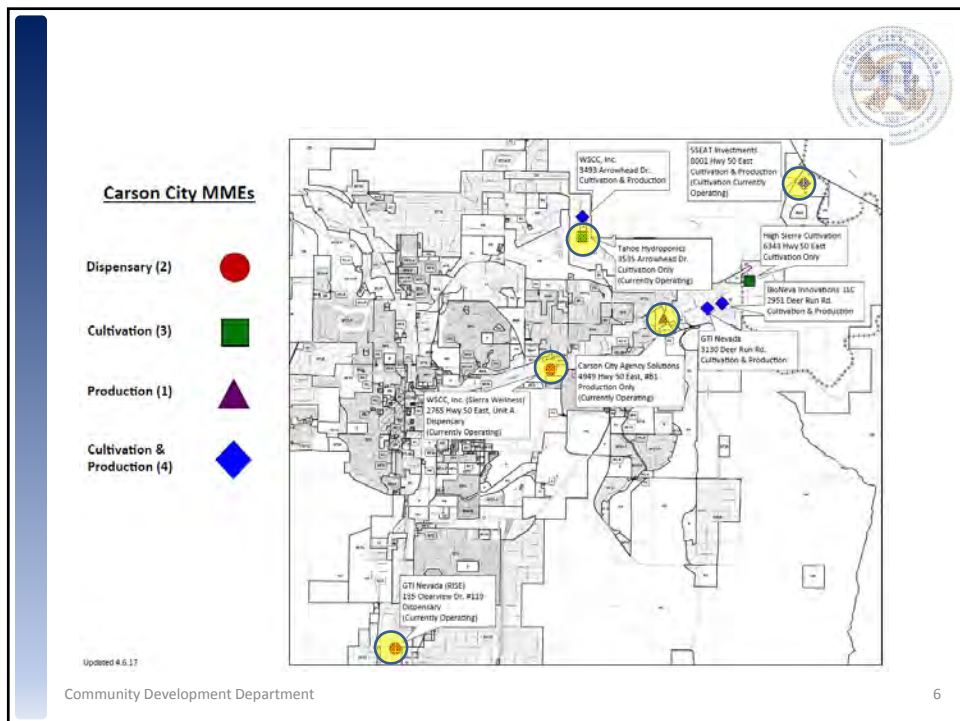
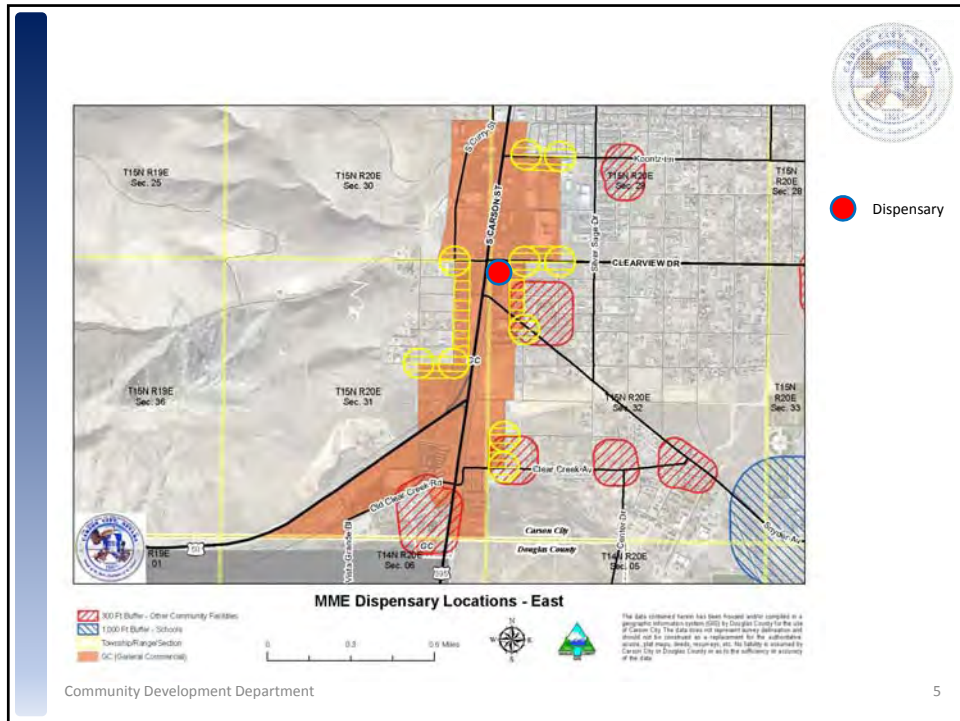
Current Zoning and Business License
Regulations for
Medical Marijuana Establishments



What Uses Are Permitted?

- Medical Marijuana Establishments
 - Cultivation
 - Product Manufacturing
 - Testing labs
 - Dispensaries (limited to 2 facilities)
- Only allowed in certain areas and certain zoning districts.
- Only allowed with approval of a Special Use Permit.





Current MME Business License Fees



- Dispensary \$25,000/yr.
- Cultivation \$20,000/yr.
- Production \$15,000/yr.
- Testing \$ 5,000/yr.

- Existing businesses have paid \$100,000+ in 2017

Additional MME Zoning Requirements



- No consumption on the premises.
- Only in permanent, professional-looking buildings.
- Professional signage like pharmacies; no marijuana logos.
- No outside displays.
- No merchandise visible from outside.
- Dispensaries:
 - Hours of operation limited to 7 AM to 8 PM.
 - Drive-through service is prohibited.
 - Separation requirements on adjacent residential streets.

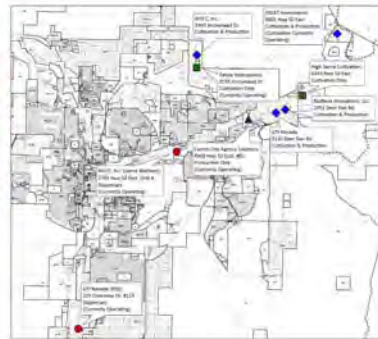
Possible Zoning Issues to Consider



- Location of establishments
- Number of establishments
- Separation of establishments
- Colocation with MMEs
- Similar standards to MMEs

- How should the City pay for anticipated fiscal impacts?

Carson City MMEs



Community Development Department

Workshop Comments Summary



- Comments against recreational marijuana facilities generally included:
 - Secondary "black market" sales from increased access and availability of products.
 - The "normalization" of marijuana in the community, especially with regard to kids.
 - Advertising at sites viewed by kids.
 - Unknown fiscal impacts of prohibiting it versus allowing it.
 - Lack of City's ability to require training of marijuana establishment employees.
 - Lack of City's ability to control product labeling.
 - Teenagers don't "go low, go slow" when dealing with intoxicating substances.
 - Facilities located near residential areas; facilities should not be concentrated in lower-income areas.
 - "Quality of life" is the issue the City should be concerned with.
- Comments for recreational marijuana facilities generally included:
 - Marijuana is legal to consume here whether sold here or not.
 - Licensee fee revenues could be used to mitigate potential negative impacts.
 - Legal, tightly regulated marijuana products could reduce the demand for black market marijuana products.

Community Development Department

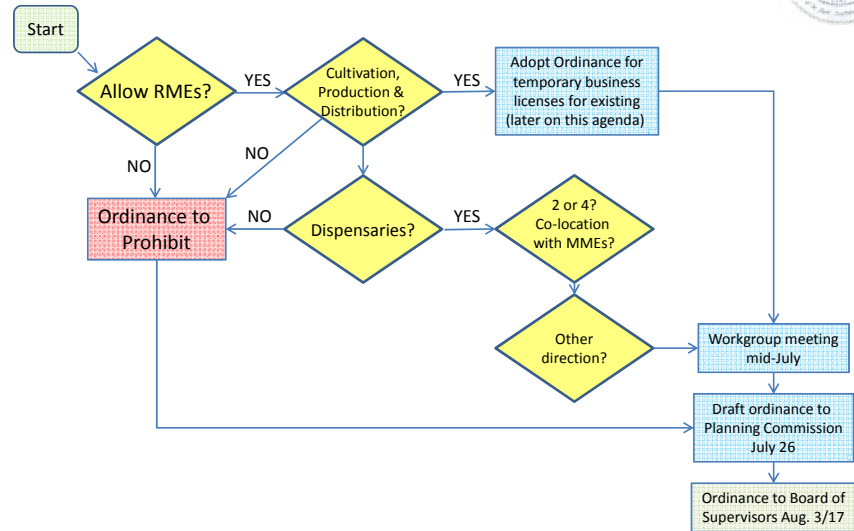
10

Fiscal Summary

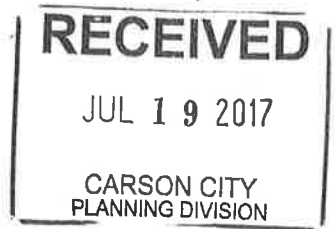


- Estimated costs to the City from having RMEs in the City (annual):
 - Fire, Health, Code Enforcement inspections labor: \$ 16,000
 - Sheriff Deputies, 2 FTEs: \$250,000
 - District Attorney, 1 FTE: \$150,000
 - \$416,000
- Estimated costs do not include:
 - Community education
 - Additional medical response
 - Community counseling/rehabilitation
 - Public health services
- Projected revenues (existing establishments only, based on establishments' own estimates):
 - Cultivation: \$120,000 (\$4 million gross revenue)
 - Product manufacturing: \$ 90,000 (\$3 million gross revenue)
 - Dispensaries: \$450,000 (\$15 million gross revenue)
 - \$660,000 (plus \$330,000 = 2.25% of sales tax to GF)

Board of Supervisors Alternatives



From: Amy Blethen <amyblethen@gmail.com>
Sent: Tuesday, July 18, 2017 5:46 PM
To: Planning Department
Subject: Public hearing comments for L1 zoning meeting July 26th



This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Good afternoon,

I received a letter from the Carson City Planning Commission in the mail today that the planning commission was considering opening for L1 zoning property within 300 feet of my property for Marijuana dispensaries. I live in the millennium housing tract on Molly drive in Carson City. It gave this email to provide public comments and I appreciate the opportunities to voice my opinions on the issue.

I am extremely opposed to this zoning. It would lower the property value of my home and my neighbors homes, invite criminal activity and unwanted traffic and litter, trash and people intoxicated and under the influence on my street making the street and neighborhood less safe to drive in and to walk my dog in.

Not only that, it is a route that many Carson City High School students walk to and from their way to school on my street, and neighboring Long street.

I am opposed to any marijuana dispensaries in my neighborhood, in Carson City and in Nevada in general and voted against the legalization of marijuana in Nevada.

I will vote against any elected city officials who facilitate the contamination of our neighborhood and city with marijuana dispensaries.

--

Amy Blethen Molly drive home owner.

From: Judy Welch <711welch@gmail.com>
Sent: Monday, July 17, 2017 8:06 AM
To: Planning Department
Cc: Bob Crowell; kbowd@carson.org; Lori Bagwell; barrettejohn66@yahoo.com; Brad Bonkowski
Subject: Public Comment on Zoning code amendment Title 18, chapter 18.03
Attachments: rezoning.pdf

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

July 17, 2017

This letter is in response to the Official Notice of Public Hearing regarding a Zoning Code amendment application amending Title 18, Zoning; Chapter 18.03 and possibly adding to or amending the definition of marijuana establishments.

We are opposed to amending the definition which would allow marijuana establishments in the proposed areas. At this time we are opposed to any marijuana establishments in Carson City. The Fairview corridor and the Long Street locations are particularly troublesome. These areas are close to Fremont School and Pioneer schools and have dense residential populations immediately surrounding the areas. Recent presentations in Carson City by the Denver District Attorney suggest that cash marijuana businesses are likely to lead to a significant increase in crimes. Until Carson City has gained experience with cash rich business (or Federal policies allow the use of credit cards and banks) we believe zoning changes near residential properties and schools is unwise.

We own two residential properties in the Capitol Village subdivision and feel our property values would be adversely affected. Once the freeway is completed, Fairview will be less traveled and opportunity for neighborhood businesses may increase but a marijuana establishment is not compatible to the surrounding residential neighborhood and family businesses.

We believe that Carson City could learn from others regarding implementation of the new marijuana laws and adjust. Accordingly, the City should adopt a policy of moving incrementally rather than making irreversible decisions that may be both detrimental and costly to manage. To wit, all these zoning amendments do not need to be implemented now.

Thank you for taking our concerns under consideration.

Respectfully,

Judy and Alan Welch
2474 Roxbury Way
Carson City, NV 89703
775-721-1731;775-315-5556



From: Planning Department
To: Lee Plemel
Subject: FW: Zoning Code Amendment - File NO: ZCA-17-100



From: ROBERT A MCINTOSH [<mailto:rmcin3@bellsouth.net>]
Sent: Sunday, July 16, 2017 7:13 AM
To: Planning Department
Subject: Zoning Code Amendment - File NO: ZCA-17-100

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To: Planning Commission

There are too many residential areas that will be affected by this amendment. There are many senior citizens in this area and this will affect the traffic and crime with possible attacks on these citizens. Just because the rest of the world is going to hell in a hand basket doesn't mean we have to follow them. Jesus Christ blesses those who obey him and this amendment does not follow the commandments of God. You are opening doors for more trouble. How many people who are on the Board live in these areas? Probably none!!

Robert A McIntosh
1321 Bandtail Dr
Carson City, NV 89701

From: ROBERT A MCINTOSH <rmcin3@bellsouth.net>
Sent: Wednesday, July 19, 2017 8:59 AM
To: Planning Department
Subject: Zoning Code Amendment File No: ZCA-17-100



This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Gentlemen:

After sending you the previous email I became aware of a website about use of Marijuana in Nevada - the website is knowmj.com. Please take a look at it before you make a decision on this re-zoning and note that one of the areas is across the street from a school. The following is only a small part of information from this website.

Impact on Youth

- A recent study found those who used marijuana heavily as adolescents and continued through adulthood showed a permanent drop in IQ points.¹
- More Nevada teens are in treatment for marijuana dependence than for all other illicit drugs combined.²
- 1 in 6 teens who use marijuana will become addicted, and the number rises to 1 in 4 teens who try it in 8th grade or younger.³
- THC, the psychoactive ingredient in the marijuana plant, alters the brain which can lead to:⁴
 - Short-term memory loss
 - Decreased motivation
 - Poor attention
 - Poor judgment
 - Loss of coordination
 - Depression
 - Psychotic episodes
- Common risk factors include the availability of drugs, whether your peers and friends use drugs, parental attitudes and acceptance of drug use.⁵
- Long-term studies conducted in Australia and New Zealand found that individuals who used marijuana on a daily basis before the age of 17 are 60% less likely to graduate high school, along with being 7 times more likely to commit suicide and 8 times more likely to become addicted to other illicit drugs.⁶

The following is information on this website about the results of marijuana on the community.

Community

- Annual crime rates were declining in Colorado until 2012 when the trend began to reverse and steadily climb in 2013, including homicide (+7.4%), rape (+41.3%), other assaults (+3.6%), larceny (+2.3%) and auto theft (+3.8%).¹
- According to the Denver District Attorney, Mitch Morrissey, crime in Denver has increased by 41% in 2015 including burglaries, aggravated assault, vehicle thefts, and homicide is at a 10-year high.²
- Less than one-tenth of one percent of prisoners are incarcerated for marijuana possession with no prior convictions.³
- Only 6% of state prisoners are incarcerated for drug possession.³
- 8% of federal prisoners that were sentenced for drug offences were for drug trafficking, not drug possession.³
- Fatal car crashes that involved marijuana tripled in the last ten years.⁴
- Drugged driving puts everyone at risk: the driver, the passengers and those sharing the road.⁵

- In 2005, a study showed that 45% of motorist pulled over for reckless driving (who were not impaired by alcohol) tested positive for marijuana.⁶
- The black market for marijuana has not disappeared in Colorado as anticipated. Marijuana is still sold on the streets because users don't want to pay taxes.^{7 & 8}
- You may think potential marijuana proceeds will fund schools, but they likely won't. In Colorado, NO new schools have been built with marijuana tax proceeds.⁹

Thank you for your attention

Robert McIntosh
1321 Bandtail Dr
Carson City, NV 89701

From: Kevin Honkomp <krhonkomp@yahoo.com>
Sent: Wednesday, July 19, 2017 10:09 AM
To: Planning Department
Cc: Tony Grasso; GALE LUNDEEN; yroc45@charter.net; Wecker Mary; Mattress King Inc.; Susan Barton
Subject: Zoning Code Amendment to allow marijuana facilities on LI (Limited Industrial) Zoning.

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Please consider this written testimony on File No. ZCA-17-100. I have a long-planned trip out of town and will not be available to testify at the hearing on July 26, 2017. .

I own APNs 009-082-04 and 009-0082-05. Those parcels are zoned RC. There is one (and only one) other parcel on that small block. Sorry, I do not have the number, but it is located on the corner of South Roop Street and Industrial Park Drive. It is zoned LI, the zoning class being changed to allow for marijuana facilities.

It does not seem appropriate that marijuana facilities be located next to retail facilities because of the heightened potential exposure to children. Same reason it's not allowed near schools or in residential area.

The fix could be as simple as amending the proposed language by adding something like, "unless the specific parcel is immediately adjoining a parcel where the use would not be allowed."

Thanks for your consideration.

Kevin Honkomp
775-671-8404



Rea Thompson

From: Scott Cooley <scottmcooley@hotmail.com>
Sent: Wednesday, July 19, 2017 1:56 PM
To: Planning Department
Cc: 'Rick Cooley (rfcooleysr@gmail.com)'
Subject: Written Comments - ZCA-17-100 - Zoning Code Amendment - Marijuana - Rhodes St.
Attachments: SummerhawkBrochure.pdf; Carson Planning - ZCA-17-100 - Comments.pdf

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Please accept this as a submission of comments to be read and studied by the planning commission as it relates to ZCA-17-100. See attached letter and supportive brochure. Please confirm receipt.

Thank you,
Scott

Scott M Cooley
408-829-4130
www.cooleycommercial.com





July 19, 2017

Re: ZCA-14-025 – Zoning Code Amendment

Owner of APN# 009-031-05, 009-031-07, 009-031-08 and 009-031-29

To: City of Carson / Planning Department

This letter is to oppose the zoning code amendment allowing for a medical marijuana dispensary and grow on or around the divisions of Rhodes St., Curry St. and Betts St. I am the owner of the 80+ acres of property (4 parcels) on the hillside for which these streets feed to. The hillside is known as the Summerhawk Development for which there is a tentative subdivision Map 06-203 (recently expired). I hope to build this development in the years to come once the housing market can again support it. Rhodes St is the main artery to this future development. I have extensive experience with medical marijuana facilities and their impact on commercial and residential real estate in the vicinity.

As a background, I am the owner of these Carson lots for which I purchased them with full intention of building 110+ executive style homes as the city previously accepted as part of the proposed Summerhawk Development. I also own commercial buildings in and around Reno along with over 12,000 acres on the outskirts of Reno. I reside in Los Gatos, California. In Silicon Valley, I own and manage 6 commercial properties totaling 300,000 square feet of office, light industrial and heavy industrial types. In total, I have around 90 different properties and 20,000 acres throughout California and Nevada. I have family in Carson and will be represented to the city by my brother, Rick Cooley.

As further background, I am currently in legal dispute with two dispensaries near my industrial commercial properties at 2121-2159 South Tenth Street, San Jose, CA. Through this process, I

have gained extensive experience with the affects of marijuana dispensaries and grows on property values and impacts on the neighborhood.

From a commercial realty standpoint, very few tenants of any type are willing to move into a building that has a marijuana dispensary or grow within the building or within a block. The affect is that any existing tenants will eventually move out and new tenants will be hard to find. It is akin to being next to a strip club. While there are those firms that might tolerate such, they are few and far between. I have given innumerable tours of my units located next to the two dispensaries and without regard to the price, prospective tenants simply say, "no way". They refuse to open their own business anywhere near a dispensary. This has forced me to dramatically lower my rents and still, my spaces sit empty costing me approximately \$30,000 per month. Hence, the lawsuit I am filing attempting to force their eviction. Two blocks away in every direction, rents are much higher. I know for a fact that once they are evicted, my rents will return to market rate rather than be far under market value as they are today. For commercial real estate, your rent rates determine the value of your property. Because the marijuana dispensaries sit near my units, the value of my property is about 30% below market. The impact can run into the millions. These dispensaries claim to follow various laws but the bottom line is that no one wants to be near them. While I have no issues with marijuana use, I do believe there are proper places for such dispensaries. I relate them most closely to a liquor store or a strip club. We don't place such establishments very near residential homes or where families and children congregate.

My goal is to place 99+ executive style homes on the hillsides behind the proposed location of the dispensary. Imagine walking your young child to school every day past the dispensary. Just who would ever buy a home in a location where every day their children must walk past a dispensary on their way to/from school? Another issue is the type of people that from my experience, hang out at the dispensaries. Yes, there are those legitimate patients of cancer and such that are well served by a dispensary. However, it's been my first hand experience that this is less than 10% of the customers. The other 90% tend to be younger people in their 20's and 30's that have a number of other drug addictions. Most of the purchasing is not actually for medical use. Often, they will drive a block or two away and park anywhere possible and smoke their just purchased pot. This creates a constant amount of people getting high in their cars in the immediate vicinity. While the dispensary discourages such, they can't control what happens on the property of others and have no control of their clients. The general complaint that marijuana is a gateway drug seems to have some legitimacy from what I've witnessed. A fair percentage of the clients are heroin and crack users as well. I see them loitering around, some looking for handouts. Even the trash bins are constantly subject to the addicted and the homeless going through them looking for discarded pot. I've even seen well-to-do high school kids going through the trash bins of the dispensary at night.



An additional issue is the constant attempt at break-ins to the dispensary and grows. It seems that teens just love the idea of breaking in to steal the marijuana. It's a constant threat and they are always casing the joint late at night. Of course, the dispensary has extensive alarm systems but the process continues. It causes overflow as the criminals case easier targets nearby. We can expect crime in the immediate vicinity to increase significantly. Not much can be done about it though the police must patrol the area much more often, causing the city to expend extra resources.

There are a number of business issues. Banks aren't allowed to make loans on buildings that house a dispensary. If the building has additional tenants, they too can't get a loan. Dispensaries also can't get hazard insurance. My building is currently uninsured against any fire that occurs within a dispensary or grow. It's in the fine print. It seems almost every week there is a reported fire in San Jose related to a grow. The equipment used in grows use a tremendous amount of power and often start fires. Insurance companies will not cover such damage. This again affects any other tenant in the same building who can't obtain legitimate fire insurance when a grow exists in the same building. The City would be smart to insure solid fire breaks around any grow facility and that it does not share the building with any other businesses. Dispensaries are not legal at the federal level so any legitimate business that operates on a national basis is unlikely to work with a dispensary. Because the two dispensaries are in the same building as my units, I am unable to obtain insurance and can't obtain a loan from a bank for my units. Thus, I am forced to own my units free and clear.

It's also been my experience that the owners of the dispensary are rarely upstanding citizens. In my building, the building inspectors are constantly coming out. There have been numerous citations for electrical violations, illegal construction, illegal HVAC, etc. We also have polluted water that has seeped into the ground. The fertilizers used as part of the grow process are highly polluting. The owners of the dispensary have no assets and as such, any lawsuits against them are useless. There is no money there for cleaning up the ground water pollution from the dumped fertilizers. For each grow cycle, the potting soil is dumped anywhere nearby where there is open ground. Such soil can be toxic. We are having to ground test under the building because of the constant water being allowed to soak into the soil. If the results are positive, the clean-up costs will run into the hundreds of thousands of dollars for which again, there are no assets for such. Property owners downhill from the grow can have their properties contaminated. Since dispensaries are an all-cash business any actual profits are quickly pocketed. Since all of the clients walking into the dispensary have significant cash on hand, they are also a target for being mugged. After all, any client either has cash or pot, both very attractive to muggers.



There is also the constant smell of the marijuana. For many, it is offensive. In the same building or buildings nearby, clients of the business constantly smell it and complain about it. It seems particularly offensive to mothers of young children as I've had strong complaints from mothers. The strong smell drifts downwind and seems to penetrate walls. No tenant can be located next to such a location as the smell will drive away their clients. The types of tenants a landlord really wants, will be the last ones to occupy near a dispensary. This would include athletic uses, day care centers, medical uses, etc. Finally, imagine the children walking to school every day smelling the marijuana grow.

I have offered to lease the units that house the dispensaries at slightly above market rate but neither landlord has any interest. I believe the reason they are willing to forgo a better lease rate and not have all the legal problems, is that they are being paid cash under the table. The common rule is that dispensaries pay three times the normal rate to landlords willing to rent to them but most of this is cash under the table. Thus, the landlord gets income tax free and earns far higher amounts they could find elsewhere. It's the neighbors that affectively pay a steep price. The reason we know of the under the table payments is because I offered to lease their units at amounts higher than the written lease with the dispensary. However, the landlords refuse to talk to any other potential tenants at any price.

The city of San Jose has made attempts to shut down the operation but have been unable to. It's become a game of cat and mouse for the city. While the city will file legal proceedings against the owners, the owners will simply change ownership among family members before anything legally can take place. Once the location is open, it's virtually impossible to get them to move or close. Changing ownership allows them to thwart most legal steps made by the city. Once a new owner is in place, the legal process to close the operation must start all over again. The city of San Jose also has a game of "whack the mole" where every time they get one dispensary closed, another one opens if not in the same spot then nearby. Most dispensaries are considered illegal today and yet, there are hundreds in operation. Let's not forget that the DEA can come in at anytime and raid the place bankrupting the dispensary and leaving a mess to deal with for the property owner.

Regarding zoning, medical marijuana is a both a food product and a medical product, both of which require zoning that support such uses. Placing food and medical product production near auto paint booths, chemical uses, manufacturing and other types of industrial uses can contaminate the production of productions from marijuana. If there is a grow, then every issue related to farming is important. Airborne contaminates from nearby light and heavy industrial users can create toxins within the marijuana plant. As such, it's recommended marijuana grows would not be anywhere near an industrial area as today we don't place farms next to chemical plants, nuclear plants and other industrial uses.



My goal for developing the lots above Rhodes Street would be dramatically impacted by any dispensary on the roads leading to my property. It is my belief that if a dispensary was allowed to be built, there is no way I could sell any of the homes. The impact on my use of my property would be dramatic. My experiences above are very real and I've been in this battle for two years. In short, dispensaries make great money and all of it at great expense to their neighbors. There would be liability to the dispensary, land owner and perhaps the city. I believe that the best location for a dispensary is on the very outskirts of town where there are no nearby residential neighbors. They should never be located near a residential area nor an active commercial area. Both would be heavily impacted. I am pleading with the city to not allow any marijuana related uses in and around Rhodes Street so as to preserve a family environment. Take the lessons of other cities and provide a zoning just for dispensaries where they can be tightly regulated from a location standpoint. Consider them similar to adult entertainment, bars or gambling locations. They should not be near Rhodes St. San Jose won't allow them within 1000 feet of any facility that supports children and near any residential area. Please consider the dramatic plights of other cities that are going through great expenses in dealing with the problems the dispensaries and grows create.

As the landowner, I will go to great lengths to protect the value of my property. I will do what I can legally to insure no dispensary is located anywhere near my property. If required, I will file suit to gain back the lost value of my property because of the presence of a new marijuana facility. I will seek out other nearby property owners to join me. Please do not allow a marijuana grow or dispensary anywhere near my property.

Thank you,



Scott Cooley

Owner, Cooley Commercial



Summerhawk Carson City, NV

Proposed Lots FOR SALE \$175,000



78.49 Acres

APNs :

009-031-07 and 009-031-29

COMMERCIAL PARTNERS
OF NEVADA

Commercial Real Estate Services

Loopnet ID: 16633461

5310 Kietzke Ln | Ste 204 | Reno, NV

T [775]329-4000 F [775]329-8526

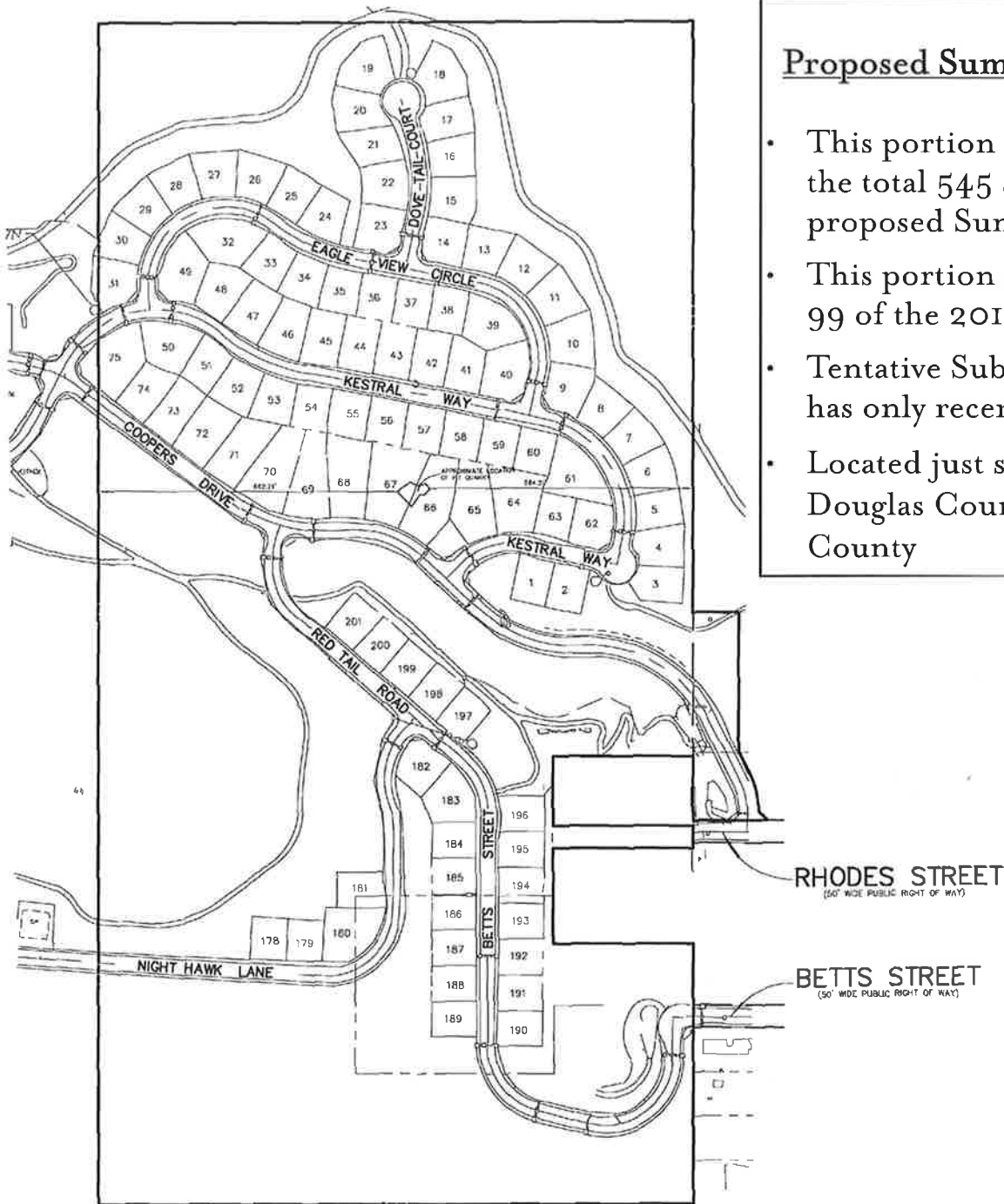
Ron Cobb
ron@commercialpartnersnv.com

www.COMMERCIALPARTNERSNV.COM

Peter Ghishan
peter@commercialpartnersnv.com

All information is deemed accurate but is not guaranteed. You and your tax and legal advisors should conduct your own investigation of the property and transaction.

Summerhawk Carson City, NV



Proposed Summerhawk Development

- This portion includes 78.52 acres of the total 545 acres that make up the proposed Summerhawk Development
- This portion supports approximately 99 of the 201 total proposed units
- Tentative Subdivision Map 06-203 has only recently expired
- Located just south of the Carson/Douglas County line in Douglas County

COMMERCIAL PARTNERS
OF NEVADA

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