



## STAFF REPORT

**Report To:** Board of Supervisors                      **Meeting Date:** September 3, 2020

**Staff Contact:** Lee Plemel, AICP, Director

**Agenda Title:** For Discussion Only: Discussion regarding possible amendments to Carson City Municipal Code ("CCMC") Title 18 (Zoning), Chapters 18.02 (Administrative Provisions), 18.03 (Definitions) and 18.04 (Use Districts). (Lee Plemel, lplemel@carson.org)

Staff Summary: The Planning Division of the Carson City Department of Community Development is in the process of conducting workshops to take public comment regarding possible updates to Title 18 (Zoning) of CCMC. The Board of Supervisors may provide comments regarding proposed amendments to CCMC Chapters 18.02, 18.03 and 18.04. The Board of Supervisors may consider and take action on final recommendations regarding these CCMC chapters at a future meeting. Other chapters of CCMC Title 18 will also be reviewed separately at future meetings.

**Agenda Action:** Resolution                                      **Time Requested:** 60 Minutes

---

### **Proposed Motion**

N/A

### **Board's Strategic Goal**

Efficient Government

### **Previous Action**

March 4, 2020: Planning Commission workshop regarding Chapter 18.02 (Administrative Provisions).

July 6 & August 5, 2020: Planning Commission workshops regarding Chapters 18.03 (Definitions) and 18.04 (Use Districts)

### **Background/Issues & Analysis**

This discussion item is part of a series of workshops that will be conducted with the Planning Commission and Board of Supervisors to review CCMC Title 18 and the Development Standards in anticipation of a comprehensive update of those sections of CCMC. The focus of this item is to review CCMC Chapters 18.02 (Administrative Provision), 18.03 (Definitions) and 18.04 (Use Districts) and give comments to staff regarding proposed updates to these chapters.

Due to COVID-19 restrictions, the public has not been able to attend these workshops or meetings in person. Staff has placed the draft documents online at [carson.org/title18](http://carson.org/title18) and is soliciting comments from the public, which will be passed on to the Planning Commission and Board of Supervisors, as applicable.

Thus far, the Planning Commission has generally come to a consensus on proposed amendments. Besides technical corrections and other general verbiage cleanup and clarification changes, the following changes and guiding principles used for amendments should be noted:

1. The required findings for master plan amendments (18.02.070), zoning map amendments (18.02.075), special use permits (18.02.080), variances (18.02.085) and other permits have been updated to be more specific regarding the intent of the findings. Recent municipal code updates in the City of Reno were used as the basis for developing these updated findings.
2. The list of permitted uses is proposed to be changed from the current list format within each zoning district section to a use-tables format. This is intended to be more user-friendly for determining where certain uses are permitted and what uses are permitted in certain zoning districts.
3. Uses are grouped together more by category rather than listing multiple individual types of uses. For example, general “retail sales” is defined and covers a wide variety of retail sales uses. It is not necessary to define and include individual uses such as “boutique,” “gift shop and souvenirs,” or “herbs, retail” when all these uses are covered under “retail sales.” Similarly, “personal services” uses are grouped together as well as other uses such as “indoor recreation” and “outdoor recreation” are grouped together. The intent is to simplify the use tables.
4. Definitions of uses and zoning districts in which uses are permitted are updated for consistency between various zoning districts. For example, there are currently uses that are only listed in the Downtown Mixed Use (DTMU) or Tourist Commercial (TC) zoning districts but are similar to uses listed in other districts. Uses and definitions are combined, as appropriate.

One area in which the Planning Commission has had diverging opinions is regarding “guest building” or accessory dwelling unit regulations. Current code regulations allow guest buildings in residential districts, subject to certain size limitations and subject to approval of a Special Use Permit in most residential districts. The main issue is the requirement, as stated in the definition of guest building in 18.03, that they are limited in use “exclusively for housing the family members of the primary residence and their non-paying guests.” This does not allow the rental of the guest building.

Removing the provisions limiting the occupancy of accessory dwellings to family members and non-paying guests would allow for more affordable housing options and more options for property owners, in general. The impacts to a neighborhood of someone living in an accessory dwelling are generally no greater if the tenant rents the dwelling than if a family member lives there. Additionally, enforcing the “family-only” limitation is nearly impossible once a guest building is built.

However, many residents have concerns that allowing rental of accessory dwelling will lead to increased density and associated neighborhood impacts, such as parking, traffic and noise.

This guest building issue will be considered in more detail when the Planning Commission and Board of Supervisors review Division 1 of the Development Standards, in which the detailed development standards for guest buildings are located. However, the Board may provide comments on this issue to staff to assist in the drafting of amendments for future meetings.

Attached are CCMC Chapters 18.02, 18.03 and 18.04 with the Planning Commission’s and staff’s draft amendments for review and discussion. The draft amendments are not final recommendations but are intended to help guide the discussion in order to refine the text before final recommendations are considered the Board of Supervisors.

Any member of the public may submit comments in writing to the Planning Division. Comments can be emailed to [planning@carson.org](mailto:planning@carson.org), or mailed or delivered to 108 E. Proctor St., Carson City, NV 89701.

Please contact Lee Plemel in the Planning Division at 283-7075 or [lplemel@carson.org](mailto:lplemel@carson.org) if you have any questions regarding this item.

Use the link below to go to the web-based Municipal Code to view the code in its entirety.  
[https://library.municode.com/nv/carson\\_city/codes/code\\_of\\_ordinances](https://library.municode.com/nv/carson_city/codes/code_of_ordinances)

Following is the updated tentative Title 18 workshop schedule:

March 4, 2020 (completed): Planning Commission public workshop, Chapter 18.02 (Administration).

July 6, 2020 (completed): Planning Commission workshop, Chapters 18.03 (Definitions) & 18.04 (Use Districts).

August 5 (completed): Planning Commission public workshop, Chapters 18.03 & 18.04.

September 2: Planning Commission public workshop, Chapter 18.05 (General Provisions).

September 3: Board of Supervisors—Discussion and comments on 18.02, 18.03 & 18.04.

September 30: Planning Commission final recommendations on 18.02, 18.03 & 18.04.

October 1: Board of Supervisors—Discussion and comments on 18.05.

October 7: Planning Commission public workshop, Development Standards Division 1 (Land Use and Site Design)

October 28: Planning Commission final recommendations on 18.05.

November 5: Board of Supervisors—Discussion and comments on Dev. Standards Division 1.

December 15: Planning Commission final recommendations on Dev. Standards Division 1.

TBD in 2021: Adoption of 18.02, 18.03, 18.04, 18.05 & Dev. Standards by Board of Supervisors.

The above schedule and future planned meetings are subject to change pending discussions regarding particular chapters with the Planning Commission and Board of Supervisors.

Attachments:

1) Draft Amendments to CCMC Chapters 18.02, 18.03 and 18.04.

**Applicable Statute, Code, Policy, Rule or Regulation**

CCMC 18.04.075, Zoning Code Amendments

**Financial Information**

**Is there a fiscal impact?** No

**If yes, account name/number:**

**Is it currently budgeted?** No

**Explanation of Fiscal Impact:**

**Alternatives**

N/A

**Attachments:**

[ZA-2020-0001 Attachments Combined.pdf](#)

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

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

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

*[Staff note: This draft is for the purpose of review and comment by the Board of Supervisors at their meeting on September 3, 2020. It includes technical corrections and modification in compliance with ordinance drafting standards throughout the document. Where substantive changes are proposed, those changes are so noted in the staff notes within that section. A "clean" copy of how the ordinance would read with these changes is also available for those who prefer to review it in that format.]*

## **Chapter 18.02 - ADMINISTRATIVE PROVISIONS**

### **18.02.005 - Short title.**

This title shall be known and may be cited in all proceedings as the Carson City Zoning Ordinance.  
(Ord. 2001-23 § 2 (part), 2001).

### **18.02.007 - Power of the Board [~~board of supervisors (hereinafter in Title 18 referred to as "board")~~]-Zoning and planning.**

1. The [~~board~~] **Board** may:
  - (a) Divide Carson City into districts and regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings[-], structures or land within those districts[-] ;
  - (b) Adopt master plans for Carson City which will serve as a pattern and guide for the kind of orderly physical growth and development of the city that will minimize impairment of the city's natural resources[-] ; **and**
  - (c) Establish and adopt ordinances and regulations relating to the subdivision of land.
2. The [~~board~~] **Board** shall carry out the provisions of subsection 1 in the manner prescribed by Chapters 278 and 278A of [~~Nevada Revised Statutes (NRS)~~] **NRS**.  
(Ord. 2001-23 § 2 (part), 2001).

### **18.02.010 - Planning Commission: Creation; duties; appointment, terms and removal of members; compensation.**

1. There is hereby created [~~in Carson City~~] the Carson City Planning Commission pursuant to NRS 278.030.
2. In accordance with NRS 278.010 to 278.630, inclusive, and the provisions of CCMC, the Commission shall perform all duties that are required and may exercise all powers which have been granted.
3. The Commission must be composed of seven members, appointed by the Mayor from Carson City at large with the approval of the Board as required by NRS 278.030 **and 278.040** and in accordance with the Policies and Procedures of the Carson City, Nevada Boards, Committees, and Commissions adopted by the Board, as may be amended.
4. The term of each member is [~~four~~] **4** years, or until his or her successor takes office. A vacancy on the Commission that occurs other than through the expiration of a member's term must be filled for the unexpired term in the same manner provided in subsection 3.
5. Each member appointed to the Commission pursuant to this section must continuously reside and be registered to vote in Carson City throughout his or her term in office.
6. The members of the Commission shall elect a Chair and [~~Vice Chair~~] **Vice-Chair** by majority vote each year. Pursuant to NRS 278.060 and subject to any additional limitations set forth in the Policies and Procedures of the Carson City, Nevada Boards, Committees, and Commissions adopted by the Board, as may be amended, each term of Chair and [~~Vice Chair~~] **Vice-Chair** is one year, with eligibility for reelection.
7. A member of the Commission may be removed, after a public hearing, by a majority vote of the Board for just cause, including, without limitation, for any of the following conduct:
  - (a) Inefficiency;
  - (b) Neglect of duty;

- (c) Malfeasance; or
- (d) Violation of any provision set forth in the Policies and Procedures of the Carson City, Nevada Boards, Committees, and Commissions adopted by the Board, as may be amended.

8. The members of the Commission shall serve without compensation.  
(Ord. 2018-3, 2018).

**18.02.011 - Meetings; records.**

The Commission shall:

1. Hold at least ~~one~~ 1 regular meeting in each month;
2. Adopt bylaws and rules for the transaction of business; and
3. Keep a complete record of its resolutions, transactions, findings and determinations, all of which constitute a public record and must be maintained ~~at~~ by the Department.

(Ord. 2018-3, 2018).

**18.02.012 - Commission actions; appeal to Board; attendance of Director.**

1. On any matter properly before the Commission and on which the Commission has ~~[-]~~ ~~\_\_\_\_\_~~ ~~(a) Taken~~ taken final action, the action may be appealed to the Board by the proponent of the action, any party aggrieved by the action ~~[and]~~ or any member of the Board pursuant to CCMC 18.02.060.

~~[(b) Made]~~ 2. On any matter properly before the Commission and on which the Commission has made a recommendation for action to the Board, the approval or denial of the matter by majority vote of the Board shall be deemed to be the final action, unless the matter is remanded to the Commission by the Board for further consideration.

~~[2-]~~ 3. The Director or his or her designee shall attend each meeting of the Commission.  
(Ord. 2018-3, 2018).

**18.02.015 - Purpose.**

The purpose of ~~[Title 18]~~ title 18 of CCMC is to promote the health, safety and general welfare of Carson City's citizens by providing appropriate and reasonable controls for the development and use of lands in Carson City, while also protecting the rights of property owners. This title also intends to: ~~[through implementation of Carson City's Master Plan and its elements. It is the intent of the board and the commission that regulatory decisions made pursuant to Title 18 shall promote orderly and appropriate use of land throughout Carson City and be consistent with the goals, policies, objectives and programs of the master plan and its elements.~~

~~\_\_\_\_\_ It is the purpose and intent of the board and commission that this title promote NRS 278.010 through 278.630 inclusive and the following purposes:]~~

1. ~~[To coordinate and ensure the execution of]~~ Implement the goals, policies and strategies adopted in the Carson City ~~[master plan]~~ Master Plan and its elements through effective implementation of development review requirements~~[-, adequate facility and services review.];~~

2. ~~[To establish]~~ Establish a system of comprehensive, consistent and equitable regulations, standards and procedures for the review and approval of all proposed land development within the city~~[-];~~

3. ~~[To implement]~~ Implement the process oriented standards located in this title~~[-];~~

4. ~~[To implement]~~ Implement design-oriented standards contained in the development standards which is parallel authority to this title~~[-];~~

5. Facilitate adequate provision of transportation, water, sewerage, and other public facility requirements; and

6. Provide the economic and social advantages gained from a comprehensively planned use of land resources.

(Ord. 2001-23 § 2 (part), 2001).

*[Staff note: Amendments to this section include general reorganization, deletion of duplicated verbiage, and additional statements of the purpose of title 18 (paragraphs 5 and 6).]*

**18.02.020 - Administration of ~~[Title 18]~~ title 18 of CCMC.**

The [~~Carson City planning and community development director~~] **Director** shall administer this title. [~~For the purposes of this title, the term "director" means the director of the planning and community development department or the director's designee. The director shall determine when any application under his jurisdiction is complete.~~]

(Ord. 2001-23 § 2 (part), 2001).

*[Staff note: "Director" and other terms are defined in the definitions chapter of CCMC. Determination of the completeness of applications and other duties of the Director are authorized in the applicable sections later in this chapter.]*

**18.02.025 - Jurisdiction, interpretation and application.**

The provisions and standards contained in this title, as well as the standards contained in the development standards, shall be deemed to be minimum standards with which compliance is essential to the permitted uses, and shall not be construed as limiting the legislative discretion of the [~~board~~] **Board** to further restrict the permissive uses or to withhold or revoke permits for uses when the protection of the public health, morals, safety, welfare and residential neighborhoods is necessary. [~~Title 18 ordinance requirements and corresponding development standards ordinance~~] **Except as otherwise noted as exceptions in title 18, the requirements of title 18 and the corresponding development standards of title 18 Appendix A** shall apply to all properties within Carson City.

1. When this title imposes a greater restriction upon the use of land, or upon height, bulk, location or use of buildings than is required by existing provisions of law or by private covenant or other restriction, the provisions of this title shall prevail. Private covenants or deed restrictions which impose more restrictive conditions than herein contained are not superseded by this title **but are separate from the provisions of this title and are not enforced by this title.**

2. Rules of Interpretation. In interpreting the language of this title, the rules set out in this subchapter shall be observed unless the interpretation would be inconsistent with the expressed language of this title.

3. Text Controls. In case of any conflict between the text of this title and any figure, the text shall control.

4. Computation of Time. The time within which an act is to be performed shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or legal holiday, the period runs until the next day which is not a Saturday[-], Sunday, or legal holiday. The following time-related words shall have the meanings ascribed below:

**(a)** "Day" means a calendar day unless otherwise stated.

**(b)** "Week" means [~~seven (7)~~] **7** calendar days.

**(c)** "Month" means [~~one (1)~~] **1** calendar month.

**(d)** "Year" means a calendar year, unless a fiscal year is indicated.

5. Other Clarifications.

(a) Headings. The headings contained in this title are for convenience only and do not limit or modify the intent or meaning of the provisions.

(b) Tense. Unless clearly indicated to the contrary, words used in the present tense shall include the future, words used in the plural shall include the singular, words used in the singular shall include the plural, and words of one gender shall include the other.

(c) Use of Certain Words. The words "shall," "must," and "will" are always mandatory. The terms "may" **and "should" [is] are** discretionary. Words and phrases shall be construed according to the common and approved usage in the language, except for technical words and phrases that may have acquired a peculiar and appropriate meaning **as may be specifically defined within this title.**

(d) Conjunctions. Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:

**(1)** "And" indicates that all connected items or provisions apply; and

(2) "Or" indicates that the connected items or provisions may apply singularly or in any combination.

6. Delegation of Authority. Whenever reference is made to the head of a department or to some other [city] **City** officer or employee, the reference shall be construed as authorizing the head of the department or other officer to designate, delegate to and authorize subordinates to perform the required act or duty, unless expressly provided otherwise.

7. Amendments to this title may create nonconforming uses. In this instance, standards from the previous code still apply to property made nonconforming by the amended code. All applications and permits that have been filed and are in process of review and approval, or when construction is occurring at the time of zoning changes to this title, will be reviewed and approved under the terms of the previous [Title 18] **title 18** in effect at the time of application. **The expansion of a nonconforming use or the development of a new use on a nonconforming property shall only be done in accordance with the provisions of this title.**

(Ord. 2001-23 § 2 (part), 2001).

### **18.02.030 - Enforcement.**

It is unlawful for any person, firm or corporation, whether as a principal, agent, employee, or otherwise (hereinafter referred to as "party"), to construct, build, convert, alter, erect **or** maintain a building, structure or any use of property, equipment, or operation in violation of a provision of this title. Any use contrary to this title is a misdemeanor offense as defined in [Title 1] **CCMC 1.08** (Misdemeanor Declared) and a public nuisance. The following procedure shall apply to enforce the provisions of this title:

1. In the event of a violation of this title, the [director] **Director** may deliver to any party in violation of this title an order to comply with the provision of this title in a time period up to [thirty (30)] **30** days from the issuance of the order to comply, at the [director's] **Director's** discretion.

2. Upon failure of any party in violation of this title to comply with the order described above, the [director] **Director** is authorized and empowered to prepare, sign, and serve a criminal misdemeanor citation for [said] **the** violation. A party is guilty of a separate offense for each and every day **on** which such violation of this title or failure to comply with any order is committed, confined, or otherwise maintained.

3. The [director] **Director** may also refer notice of [such] **a** violation to the district attorney for commencement of action to abate, remove and enjoin [such] **the** violation as a public nuisance and a criminal action in the manner provided by law.

4. The conviction and punishment of any person under this section shall not relieve [such] **the** person from the responsibilities of correcting the nuisance.

(Ord. 2001-23 § 2 (part), 2001).

### **18.02.035 – [Commission/board] Commission and Board applications.**

1. Application Deadline. An application for a [variance, a special use permit, a zoning map amendment, a master plan amendment, zoning code amendment, an abandonment of street or easement, an amendment to this Title, a tentative subdivision or PUD map, or an appeal of an administrative decision] **Variance, Special Use Permit, Zoning Map Amendment, Zoning Code Amendment, Master Plan Amendment, Tentative Subdivision Map, Tentative Planned Unit Development, or an abandonment of a right-of-way or easement** shall be filed with the [director] **Director** no later than 12:00 p.m. on the Thursday of the sixth week prior to the [planning commission] **Commission** meeting at which the application will be heard.

2. Determination of a Complete Application. [Within three] **Not more than 3** working days after the [commission or board] **Commission or Board** application deadline, the [director] **Director** shall determine whether the application is complete and forward written notice to the applicant of the determination. If it is determined that the application is not complete, the written notice shall specify the application's deficiencies and describe the additional information required **in order to make the**



**application complete.** The ~~[director]~~ **Director** shall take no further action on the application unless the deficiencies are remedied. An incomplete application shall only be scheduled for ~~[commission or board]~~ **Commission or Board** review upon the submittal of a complete application pursuant to the provisions of this section. An application may only be scheduled for ~~[planning commission]~~ **Commission** review if the ~~[director]~~ **Director** deems the application complete no later than 12:00 p.m. 33 days prior to the ~~[planning commission]~~ **Commission** meeting. If the ~~[director]~~ **Director** fails to make a determination of completeness within ~~[three]~~ **3** working days after the ~~[commission or board]~~ **Commission or Board** application deadline without the written concurrence of the applicant, the application is deemed complete. A determination of completeness shall not constitute a determination of compliance with other requirements of this title or NRS.

3. Processing of an Application. Following the determination of completeness of an application, the applicant shall tender the application fee **to the Department**. The ~~[director]~~ **Director** shall review the application and prepare a report for the ~~[commission or board]~~ **Commission or Board**, as applicable, recommending approval, conditional approval, denial, or continuance for re-design. The ~~[director]~~ **Director** shall schedule the application for public hearing within the time and in the manner required by this title, NRS, and administrative guidelines.

4. Official Filing Date. The time for processing and acting on ~~[commission and board]~~ **Commission or Board** applications as established by NRS or this title shall commence on the date that the application is deemed complete and the fees are paid. Material modifications of any application by the applicant following the filing of the application shall reestablish the time for processing and acting on the application upon the ~~[director's]~~ **Director's** determination that the modified application is complete.

**5. Continuance of Application. An applicant may request a continuance of any application to a future meeting that is held not more than 180 days after the continuance request. A continuance requested by an applicant suspends the time established in NRS Chapter 278 and title 18 in which the applicable hearing body must render a decision. The applicable decision-making body may continue an application upon its own action provided that the meeting to which the application is continued allows for a decision on the application within required time limits established in NRS and this title.**

**6. Withdrawal of Application.**

**(a) After an application has been deemed complete, the applicant may withdraw the application at any time by submitting a letter of withdrawal to the Director. No further action shall be taken on an application once the withdrawal letter is received by the Director.**

**(b) An applicant is not entitled to a refund of application fees for a withdrawn application. However, the Director may refund fees not expended during staff review of the application, based on an hourly basis of staff time, if the application is withdrawn prior to the publication of the notice of public hearing.**

(Ord. 2007-41 § 1, 2007: Ord. 2007-33 § 2, 2007: Ord. 2004-13 § 9, 2004: Ord. 2003-2 § 1, 2003: Ord. 2001-23 § 2 (part), 2001).

*[Staff note: Application continuance provisions are consolidated from other code sections here in paragraph 5. Provisions regarding the withdrawal of applications are added in paragraph 6.]*

**18.02.040 – [Application limitations] Subsequent applications.**

A second or subsequent application substantially similar to the first for a ~~[variance, special use permit, zoning map amendment, zoning code amendment or master plan amendment]~~ **Variance, Special Use Permit, Zoning Map Amendment, Zoning Code Amendment or Master Plan Amendment** shall not be submitted for review ~~[within one year of]~~ **prior to 1 year after** the first application's denial by the ~~[commission or board]~~ **Commission or Board** with respect to that parcel or any portion of that parcel ~~[under the same ownership or if ownership changes]~~ unless the ~~[director]~~ **Director** determines that the subsequent application is substantially different such that the facts supporting the previous denial from the ~~[commission or board]~~ **Commission or Board** no longer ~~[exists]~~ **exist**.

Where the holder of an application for a development approval wishes to file a subsequent application for a project which is substantially different from the first project, the new development application shall supersede the previous development application, and the applicant shall state on his or her application that, upon approval by the [~~commission~~] **Commission or Board** of the subsequent application, [~~he requests review and action to approve the withdrawal of~~] the first development approval **is withdrawn.**

(Ord. 2004-13 § 10, 2004: Ord. 2001-23 § 2 (part), 2001).

**18.02.045 - Notice of [~~commission~~] public hearings.**

*[Staff note: This is a reorganization of this section; there are no substantive changes proposed to the noticing requirements.]*

**1. Except as otherwise provided, all public hearing notices that are required for zoning or land division applications as identified in this title and title 17 (Division of Land) of CCMC shall comply with the provisions of this section.**

**2. Required public hearing notices shall be published in a newspaper of general circulation and mailed to surrounding property owners not less than 10 days before the public hearing.**

**Required notices shall:**

**(a) Identify the application type;**

**(b) Describe the nature and scope of the proposed project or request;**

**(c) Describe the location of the property that is subject to the application;**

**(d) Identify the date, time and location of the hearing being noticed;**

**(e) Provide contact information that may be used by interested persons to obtain additional information regarding a public hearing item;**

**(f) If the application is for a Master Plan Land Use Amendment or Zoning Map Amendment, provide existing and proposed Master Plan or Zoning Map designations, as applicable; and**

**(g) If a proposed Zoning Map amendment involves a change in the boundary of a zoning district that would reduce the density or intensity with which a parcel of land may be used, the property owner notice must include a section that an owner of property may complete and return to the governing body to indicate his or her approval of or opposition to the proposed amendment.**

*[Staff note: Subsection (g) added per the requirements of NRS 278.260(3)]*

**3. Except as otherwise noted in this section for noticing of public right-of-way abandonments, public hearing notices shall be sent via first-class mail to the applicant or appellant, as applicable, and all property owners as shown on the most recent equalized assessment rolls and all tenants of a mobile home park located within the following radius measured from the perimeter boundaries of the property subject to the application:**

**(a) If the subject property is one acre or less in size, 300 feet;**

**(b) If the subject property is larger than one acre and less than 40 acres in size, 600 feet; or**

**(c) If the subject property is 40 acres or larger in size, 900 feet; and**

**(d) If the owners of record of the properties described in subparagraphs (a), (b) and (c) of this paragraph comprise less than 30 unique property owners, additional distance from the subject property as necessary to result in a total of 30 unique property owners within the notification radius.**

**4. A public hearing notice for a right-of-way abandonment shall be published in a newspaper of general circulation and mailed not less than 10 days before the public hearing. Notice shall be sent via U.S. mail, pursuant to a method that provides confirmation of delivery and does not require the signature of the recipient, to:**

**(a) The applicant; and**

**(b) Every owner of record of property that abuts upon the proposed right-of-way to be abandoned.**

~~[1. The commission shall, in accordance with this section, provide written notice of any public hearing which is scheduled to consider:~~

~~—— (a) An application for a variance, special use permit, zoning map amendment, tentative map, planned unit development map, master plan amendment such as a land use map amendment or element text amendment, appeal of administrative decision or commission decision, or appeal of an administrative permit.~~

~~—— (b) An application for a right-of-way abandonment.~~

~~—— (c) An appeal of a decision pursuant to section 18.02.060.~~

~~2. Every notice required by this section must:~~

~~—— (a) Indicate the date, time, location and purpose of the public hearing;~~

~~—— (b) Indicate, whenever applicable, the existing zoning designation of the application property and the proposed zoning change;~~

~~—— (c) Include a description of the general location of the property that is owned by the person to whom the notice is delivered;~~

~~—— (d) Include a reference to the application property or the proposed right-of-way abandonment, as applicable; and~~

~~—— (e) Not less than 10 days before the date of the hearing, be published in a newspaper of general circulation in Carson City and delivered by regular first class mail to the persons described in subsection 3 or 4, as applicable.~~

~~3. A notice required by paragraph (a) or (c) of subsection 1 must be provided to:~~

~~—— (a) The applicant or the appellant, as applicable.~~

~~—— (b) The following persons, as shown on the most recent equalized assessment rolls whose properties are located within the applicable radius as measured from the perimeter boundaries of the application property:~~

~~—— (1) If the application property is one acre or less in size, every owner of record of property and every tenant of a mobile home park which is located within 300 feet of the application property;~~

~~—— (2) If the application property is larger than one acre and less than 40 acres in size, every owner of record of property and every tenant of a mobile home park which is located within 600 feet of the application property;~~

~~—— (3) If the application property is 40 acres or larger in size, every owner of record of property and every tenant of a mobile home park which is located within 900 feet of the application property; and~~

~~—— (4) If the owners of record of the properties described in subparagraphs (1), (2) and (3) of this paragraph comprise less than 30 unique property owners, such additional owners of record of properties that are located nearest in proximity to the application property as are necessary to comprise 30 unique property owners.~~

~~4. A notice required by paragraph (b) of subsection 1 must be provided to:~~

~~—— (a) The applicant.~~

~~—— (b) Every owner of record of property that abuts upon the proposed right-of-way abandonment which is the subject of the application to be considered at the public hearing.~~

~~5. As used in this section, "application property" means property, other than a proposed right-of-way abandonment, that is the subject of an application to be considered at a public hearing of the commission].~~

(Ord. 2004-13 § 11, 2004: Ord. 2002-41 § 1, 2002: Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2016-11, § 1, 7-7-2016](#) )

### 18.02.050 - Review.

1. The ~~[board and the commission]~~ **Commission and Board** in reviewing and judging the merit of a proposal for a ~~[variance, special use permit, zoning map amendment, master plan amendment, zoning code amendment, master plan element or]~~ **Variance, Special Use Permit, Zoning Map Amendment, Master Plan Amendment, Zoning Code Amendment, or public right-of-way** abandonment shall find that the regulations and standards in this title or state law are met.

2. The ~~[commission and the board]~~ **Commission and Board**, after reviewing a proposal and taking public testimony, shall reduce their respective ~~[recommendations and]~~ decisions to writing and shall include therein the ~~[recommendation or]~~ decision in a concise and explicit statement of the evidence. A copy of the ~~[commission's and board recommendation and]~~ **Commission's or Board's** decision must be mailed by certified mail, **delivered electronically to the applicant's email address provided on the application**, or hand delivered to the applicant. The applicant must sign the notice of decision and return the notice of decision to the ~~[planning and community development department]~~ **Department** within 21 working days of receipt. A copy of ~~[this recommendation and]~~ **the Commission's or Board's** decision shall be ~~[forthwith]~~ placed in the ~~[planning and community development department]~~ **Department** files as a record of the ~~[commission's and board decisions]~~ **decision**. Failure of the applicant to return the notice of decision within the required timeframe may be cause to place the application on the next ~~[commission]~~ **Commission or Board** agenda for further review.

3. The ~~[board]~~ **Board** shall have the power to review the recommendations and **appeals of** decisions of the ~~[commission]~~ **Commission** and by majority vote may affirm, deny, modify or return the recommendations or decisions to the ~~[commission]~~ **Commission** for further consideration.

**4. The applicant for a Variance, Special Use Permit, Zoning Map Amendment, Master Plan Amendment, Zoning Code Amendment, or public right-of-way abandonment shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed application. For purposes of legal clarity, this shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Commission or Board. The applicant shall provide adequate information in the application and on any site plan to substantiate the findings required in this chapter. The Commission and Board shall determine if the information presented is adequate to support their decisions.**

(Ord. 2004-13 § 12, 2004: Ord. 2001-23 § 2 (part), 2001).

*[Staff note: Paragraph 4 provisions regarding burden of proof for findings is consolidated here from other sections in this chapter.]*

#### **18.02.052 - Hearing examiners.**

1. Appointment. A ~~[hearing examiner]~~ **Hearing Examiner** shall be appointed by formal action of the ~~[board]~~ **Board** and must meet the qualifications as established in NRS 278.263.

2. Compensation. The ~~[hearing examiner]~~ **Hearing Examiner** is entitled to no extra compensation for the hearing examiner duties.

3. Powers and Duties. The ~~[hearing examiner]~~ **Hearing Examiner** shall have the ~~[following]~~ power and duty to study, review, approve, disapprove or approve with conditions ~~[applications for all proposed work at hearings]~~ **all Administrative Permit applications and any other applications that may be authorized by this title for the hearing examiner's review.**

4. Procedure.

(a) All hearings conducted by the ~~[hearing examiner in Title 18]~~ **Hearing Examiner pursuant to the provisions of this title** must be at a meeting for which notice is given in accordance with the ~~[state open meeting law]~~ **Open Meeting Law** contained in NRS.

(b) Notice of a hearing ~~[to be sent by U.S. Mail and to be consistent with Title 18]~~ **shall be provided in accordance with CCMC 18.02.045** (Notice of ~~[Commission Hearings]~~ **public hearings**).

(c) An audio recording of the hearing must be made and copies of the ~~[tapes]~~ **recordings** must be made available **to the public**.

(d) The ~~[hearing examiner]~~ **Hearing Examiner** shall produce his **or her** decision in writing ~~[within ten days from]~~ **not more than 10 days after the date of** the hearing.

5. Decision. Where ~~[Title 18]~~ **this title** indicates the ~~[hearing examiner]~~ **Hearing Examiner** process may be used, the decision of the ~~[hearing examiner]~~ **Hearing Examiner** is final unless appealed in accordance with ~~[Title 18]~~ **CCMC 18.02.060** (Appeals).

(Ord. 2004-13 § 13, 2004: Ord. 2001-23 § 2 (part), 2001).

**18.02.055 - Fees and service charges.**

*[Note: This section will be deleted in its entirety, and fees will be adopted by Resolution of the Board of Supervisors. No changes to fees are proposed except as noted below.]*

Before [~~accepting~~] **deeming** any application required by this title **complete for processing**, fees [~~adopted by the board, including service charges,~~] **as provided in this section** shall be charged, collected and deposited with the planning division of the **Department**. [~~development service department. A fee sheet is available to the general public at the main desk of the planning division.~~]

1. Zoning Application Fees:

Administrative Permit	\$750.00 + \$60.00/hr over 10 hours
Appeal	\$250.00 + \$60.00/hr over 4 hours
Zoning Map Amendment	\$2,450.00
Continuance	\$600.00
Historic Resources Review	No Charge
Major Project Review	No Charge
Master Plan Amendment	\$3,050.00
Minor Variance	\$500.00 + \$60.00/hr over 4 hours
Mobile Home Park Review	\$2,300.00
Recreational Vehicle Park Review	\$2,300.00
Special Use Permit—Minor (conditional uses or height use permit within any residential zoning district)	\$2,200.00
Special Use Permit—Major (all special use permits not considered minor)	\$2,450.00
Temporary Use Permit	\$750.00
Variance	\$2,150.00
Zoning Code Amendment	3,250.00

2. Division of Land Fees Pursuant to Title 17 **of CCMC**.

Development Agreement	\$1,800.00
Development Agreement Amendment	\$800.00
Land Division Map	\$750.00
<del>[Land Division Map Recording]</del>	<del>[\$50.00 for the 1<sup>st</sup> sheet + \$10.00 for each additional sheet (NRS 278.4725)]</del>
Lot Line Adjustment or Deletion	\$500.00 + \$60.00/hr over 4 hours
Parcel Maps	\$2,750.00
<del>[Parcel Map Recording]</del>	<del>[\$17.00 for the 1<sup>st</sup> sheet + \$10.00 for each additional sheet (NRS 278.468)]</del>
Plat Amendment	\$2,550.00

Planned Unit Development—Tentative	\$3,450.00
Planned Unit Development—Final Map	\$3,550.00 per Phase
<del>[Planned Unit Development—Final Map Recording]</del>	<del>[\$50.00 for the 1<sup>st</sup> sheet + \$10.00 for each additional sheet (NRS 278A.570)]</del>
Subdivision—Tentative	\$3,500.00
Subdivision—Final	\$1,800.00 per Phase
Subdivision Map Recording	<del>[\$50.00 for the 1<sup>st</sup> sheet + \$10.00 for each additional sheet (NRS 278.450)]</del> <b><u>Fees required per Recorder's office fee schedule.</u></b>
<del>[Merger and Re-subdivision—Same as applicable Parcel Map, Subdivision Map or Planned Unit Development]</del>	<del>[See fees above]</del>

### 3. General Planning Division Fees.

Manufactured Home in Single Family Zoning	\$500.00
Modification to Zoning or Division of Land Approvals	75% of Current Application Fee
Private Activity Bond Volume Cap Allocation/Review of Application	\$500.00
Public Utility Easement Abandonment	\$1,850.00
Research Fee	Per City Policy
Right-of-Way Abandonment	\$2,450.00
Time Extension, Administrative[)]*	\$100.00
Time Extension, Public Hearing*	\$600.00

\*Not applicable to Development Agreements.

4. All fees are non-refundable except for recording fees when there is no actual recording.

~~[5. Unless a continuance is requested by the planning commission or board of supervisors with the applicant's concurrence, a continuance of a planning commission agenda item to a later meeting is subject to the following:~~

~~\_\_\_\_\_ (a) Any application that has been placed on the published agenda for the planning commission or board of supervisors, and which is required by the applicant to be continued after the posting of the notice of public hearing, shall pay the fee listed above.~~

~~\_\_\_\_\_ (b) The requests for continuances shall be granted or denied by the planning commission or board of supervisors at the time set for consideration of the application. If the request for continuance is denied, the fee shall be refunded and the hearing conducted in accordance with the posted agenda.]~~

**5. An applicant who requests the continuance of an application after the notice of public hearing for the application has been published or mailed to property owners shall pay the continuance fee listed above, and the applicable public hearing body shall consider whether to grant or deny the continuance when the item is considered on the agenda. If the public hearing body denies the request for a continuance, the fee shall be refunded and the hearing conducted in accordance with the posted agenda.**

**(a) Notwithstanding the above provisions, the applicant shall not be required to pay a continuance fee if the applicable public hearing body requests the continuance.**

*[Staff note: This paragraph is clarified and reorganized only. No substantive changes are made to the fees and requirements related to continuances.]*

6. No part of a filing fee will be refunded in the event that an application is not approved.

7. All application costs shall be ~~[paid in US cash or by check]~~ payable to Carson City. (Ord. 2007-28 § 1, 2007: Ord. 2001-23 § 2 (part), 2001). ([Ord. No. 2013-29, § I, 11-7-2013](#))

### **18.02.060 - Appeals.**

1. Appeals of Staff Decisions. An administrative decision of the ~~[director]~~ **Director** may be appealed by the applicant or any aggrieved party to the ~~[commission]~~ **Commission** by following the procedures in subsection 4 of this section ~~[within ten days of the date of the decision]~~. The ~~[commission]~~ **Commission** may affirm, modify or reverse the decision.

2. Appeals of Commission, Hearing Examiner or Historic Resources Commission ~~(HRC)~~ **Decisions**. Any decision of the ~~[commission]~~ **Commission**, ~~[hearing examiner or the HRC]~~ **Hearing Examiner or the Historic Resources Commission** may be appealed to the ~~[board]~~ **Board** by the applicant, any aggrieved party, or any member of the ~~[board]~~ **Board** by following the procedures in subsection 4 of this section ~~[within 10 days of the date of the decision]~~. The ~~[board]~~ **Board** may affirm, modify or reverse the decision. ~~[In reviewing the decision, the board shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.020.]~~

*[Staff note: The last sentence above applies to all zoning regulations generally and not just appeals; it is superfluous verbiage.]*

3. Appeals of Board Decisions. A decision of the ~~[board]~~ **Board** is final. Any appeal of its decision shall be in a court of competent jurisdiction within the time frames established by ~~[the]~~ NRS.

4. Procedures for Filing an Appeal.

(a) Standing for filing an appeal. Any project applicant or any aggrieved party may file an appeal as specified in this section provided that the appellant has participated in the administrative process prior to filing the appeal.

(b) Issues for an Appeal. Issues not addressed in the public hearing stage of the administrative process for a project which is being appealed may not be raised as a basis for the appeal unless there is substantial new evidence which has become available accompanied by proof that the evidence was not available at the time of the public hearing. If new information is submitted to the ~~[board]~~ **Board**, the application ~~[shall]~~ **may** be referred back to the ~~[commission]~~ **Commission** for further appeal, review and action.

(c) Appeal Application. ~~[All appeal applications]~~ **An appeal** shall be **accompanied by the appropriate fee and** filed in writing with a letter of appeal to the ~~[director]~~ **Director not more than 10 days after the date of the decision that is being appealed. The letter of appeal must include:**

~~(1) [The letter of appeal and application shall be submitted within ten days of the date of the staff or commission decision for which an appeal is requested.]~~

~~(2) The appeal letter shall include the~~ **The** appellant's name, mailing address, daytime phone number and **email address;** ~~[shall be accompanied by the appropriate fee.]~~

~~(3) The letter shall specify the~~ **(2) A description of the** project or decision for which the appeal is being requested. The letter shall indicate which aspects of the decision are being appealed. No other aspect of the appealed decision shall be heard~~[r]~~ **; and**

~~(4) The letter shall provide the~~ **(3) The** necessary facts or other information that support the appellant's contention that the ~~[staff or commission]~~ **applicable decision-making body** erred in its consideration or findings supporting its decision.

(d) Decision. The ~~[commission or board]~~ **Commission or Board**, whichever has jurisdiction over the appeal, shall render its decision on the appeal ~~[within 60 days of]~~ **not more than 60 days after** the submittal of a complete appeal application.

(e) Notice of Appeals. Notice of an appeal hearing shall be provided in accordance with ~~[section]~~ **CCMC 18.02.045.**

(Ord. 2004-13 § 14, 2004: Ord. 2001-23 § 2 (part), 2001). ([Ord. No. 2016-11, § II, 7-7-2016](#))

*[Staff note: This section is clarified and reorganized only. No substantive changes are made to the appeal process or requirements.]*

### **18.02.065 - Administrative abandonment of public utility[~~s~~] easements.**

1. For the purposes of this section a "public utility easement" is an easement obtained by Carson City or a public utility which is owned or controlled by Carson City and which runs in favor of the [city] **City**. Pursuant to NRS 278.480(10) and through the use of the procedure contained in this section, a public utility easement may be abandoned without a hearing of the [board] **Board** or the [commission] **Commission**. The owner of property who seeks abandonment of a public utility easement involving his or her property shall file an application in writing with the [planning and community development department] **Department** on the forms required by [that department] **the Department**. The application shall also include a legal description and exhibit prepared and signed by a surveyor licensed in the state of Nevada unless the city engineer waives the requirements of retaining a state licensed surveyor for the preparation of the documents. The [director of the planning and community development department, or his or her designee,] **Director** may issue a written order abandoning a public utility easement after:

- [1-] **(a)** Receiving a complete application;
- [2-] **(b)** Obtaining the written approval of the city engineer or his or her designee, and the utilities director or his or her designee; and
- [3-] **(c)** Determining the subject public utility easement is no longer necessary or useful to Carson City.

2. The abandonment of a public utility easement pursuant to this section does not affect an easement held by a private utility company even if such private utility easement was created by the same instrument or it has the same legal description, and also does not affect an easement held by the public as distinguished from an easement held by Carson City or a public utility owned or controlled by Carson City.

3. A decision of the [director] **Director** made under this section may be appealed in the manner provided for in [Title 18 (Administrative Procedures)] **CCMC 18.02.060 (Appeals)**. (Ord. 2001-23 § 2 (part), 2001).

### **18.02.070 - Master Plan.**

1. Purpose. The purpose of this subchapter is to provide for the adoption of Carson City's [master plan] **Master Plan** and amendments to the [master plan] **Master Plan**.

2. Adoption of Master Plan. The [commission] **Commission** shall prepare and adopt a comprehensive, long term master plan for the physical development of Carson City. This plan shall be known as the [city's master plan] **Carson City Master Plan** and must be so prepared that all or portions thereof may be adopted by the [board] **Board** as the basis for the development of the city for a set, reasonable period of time pursuant to NRS 278.150.

3. Elements of the [City's] Master Plan. The [master plan] **Master Plan**, along with accompanying charts, drawings, diagrams, schedules and reports, may include, but is not limited to, the subject matter as are appropriate for the city and as may be the basis for the physical development thereof as stated under NRS 278.160[~~, as amended from time to time by the Nevada Legislature~~].

The [commission] **Commission** may prepare and adopt all or a portion thereof of the [master plan] **Master Plan** for all or any part of the [city] **City** pursuant to NRS 278.170.

The [commission] **Commission** shall, during the formation of plans for community design and public buildings, notify the school district's governing body to consider the preparation of such plans and to adequately and properly locate school sites.

4. Interest in Master Plan. The [commission] **Commission** shall endeavor to promote public interest in and understanding of the [city's master plan] **Master Plan** and regulations relating thereto. As a means of furthering the purpose of the [master plan] **Master Plan**, the [commission] **Commission** shall make annual recommendations to the [board] **Board** for the implementation of the [master plan] **Master**



**Plan.** It also shall consult and advise with public officials, agencies and citizens to implement ~~[such plans]~~ **the Master Plan.**

Pursuant to ~~subsection 3 of~~ **NRS 278.190**, ~~[subsection 3, the commission]~~ **the Commission** members and employees, in the performance of their functions, may enter upon any land and make examinations and surveys. Furthermore, pursuant to subsection 4 ~~of NRS 278.190~~, the ~~[commission]~~ **Commission** shall have power as may be necessary to enable it to fulfill its function and carry out the provisions of this title and NRS 278.010 to 278.630, inclusive. The ~~[city's master plan]~~ **Master Plan** shall be, but is not limited to, a map, together with such charts, drawings, diagrams, schedules, reports, ordinances, or other printed or published material, or any one or a combination of any of the foregoing as may be considered essential to the purpose of carrying out this title and NRS 278.010 to 278.630, inclusive.

5. Implementation of ~~[City's]~~ Master Plan by the ~~[board]~~ **Board**. Whenever the ~~[board]~~ **Board** has approved the ~~[commission's]~~ **Commission's** adopted ~~[master plan]~~ **Master Plan** or a part thereof, the ~~[board]~~ **Board** shall, upon recommendation of the ~~[commission]~~ **Commission**, determine a reasonable and practical means for implementing the ~~[master plan]~~ **Master Plan** or a portion thereof. The ~~[master plan]~~ **Master Plan** will serve as a pattern and guide for ~~[that kind of]~~ orderly physical growth and development of Carson City, which will cause the least amount of natural resource impairment and will conform to the adopted ~~[population/]~~ growth management plan, **and will serve** as a basis for the efficient expenditure of funds ~~[thereof,]~~ relating to the ~~[subject]~~ **implementation of applicable** elements of the ~~[master plan]~~ **Master Plan**. After recommendation from the ~~[commission]~~ **Commission**, the ~~[board]~~ **Board** may adopt and use procedures as may be necessary for the implementation of this title.

6. Requirements for Application.

(a) Initiation of Amendments. A ~~[master plan amendment]~~ **Master Plan Amendment** may be initiated by the ~~[board of commission]~~ **Board or Commission** through resolution. An owner of real property may initiate an amendment for their property through an application filed with the ~~[director]~~ **Director**. ~~[A master plan amendment may also be initiated by the property owner if the property owner has entered into escrow with a buyer for purchase of the property with an expiration date of less than the period of time remaining before the next regular master plan review period.] [Staff note: This is an unnecessary restriction. A current property owner must always approve an application for a property.]~~

(b) Master Plan ~~[Elements]~~ **elements** may be initiated by the Board ~~[of Supervisors or Planning]~~ **or Commission**.

(c) Types of Applications. There are 3 types of applications for ~~[master plan amendments.]~~ **Master Plan Amendments:**

~~\_\_\_\_\_ (1) [The first type is an] An amendment to the land use map of the land use element[-] ;~~  
~~\_\_\_\_\_ (2) [The second type of amendment is] An amendment to revise the text in [the various] any master plan element; and [elements. Applications for revisions to the text within master plan elements by the commission and board can be submitted at any time in the year.] [Staff note: This submittal timing exception is already stated below in (d).]~~

~~\_\_\_\_\_ (3) [The third type of amendments to the city's master plan is adoption] Adoption of a new [master plan] Master Plan element.~~

(d) Timing of Amendments. The ~~[city's master plan]~~ **Master Plan** land use map may be amended by the ~~[board]~~ **Board** no more than 4 times per year. Applications or resolutions for ~~[master plan amendments]~~ **Master Plan Amendments** shall only be accepted during the ~~[planning commission]~~ **Commission** submittal dates in January, April, July, and October for review by the ~~[planning commission]~~ **Commission** at its regular meeting the following month. Master ~~[plan]~~ **Plan** elements or other ~~[master plan]~~ **Master Plan** text amendments may be submitted in any month during the calendar year for adoption.

(e) Frequency of Amendment. Only the ~~[board or commission]~~ **Board or Commission** may initiate an amendment of the ~~[master plan]~~ **Master Plan** for a parcel ~~[within] less than~~ 12 months after an amendment on that parcel has been approved or denied.

(f) Completeness. No ~~[master plan amendment]~~ **Master Plan Amendment** or element shall be processed until the information necessary to review and decide upon the proposed ~~[master plan amendment]~~ **Master Plan Amendment** or element is deemed complete by the ~~[director]~~ **Director**.

7. Review Procedures. The ~~[commission]~~ **Commission** shall review a ~~[master plan amendment]~~ **Master Plan Amendment** or element in conformance with this section.

(a) General Provisions. The ~~[commission]~~ **Commission** shall conduct at least 1 public hearing with notification for the purpose of receiving oral and written evidence ~~[relative to]~~ **regarding** the application. ~~[The evidence shall be reviewed to determine if the proposed amendment or element is consistent with existing goals, objectives, policies and action programs of the master plan.]~~ The ~~[commission]~~ **Commission** shall approve, modify, or deny the application based on the results of this review.

(b) Specific Plan. A specific plan may be submitted as part of a ~~[master plan amendment]~~ **Master Plan Amendment**. A specific plan will allow for more precise implementation of the ~~[master plan]~~ **Master Plan** by requiring or permitting review of large scale planning issues in order to protect the natural environment, ensure compatible uses, conserve energy, achieve coherent and diverse development patterns, and ensure that roads and other infrastructure are or will be adequate to serve new development. ~~[As]~~ **At** a minimum, all specific plans shall include:

(1) ~~[The]~~ **A written description and land use plan map identifying the** distribution, location and extent, density and general intensity of land uses, including open space ~~[(including a land use plan map and associated text)];~~

(2) The distribution, location and extent of major infrastructure systems to address transportation, sewage, water, drainage, solid waste and other essential services;

(3) A plan for phasing the development of land uses and infrastructure;

(4) A financing plan for proposed infrastructure;

(5) A handbook containing guidelines, performance standards and other criteria including zoning standards and CC&Rs, if applicable, by which development will proceed;

(6) Performance standards for the protection and conservation of natural resources including floodways, wildlife, soils, topography, geology ~~[and hillsides/slopes]~~ **, hillsides and slopes;**

(7) Performance standards to achieve the goals and objectives of the ~~[master plan]~~

**Master Plan;**

(8) Where adjacent land uses are not compatible ~~[(according to the adopted master plan showing friction areas)],~~ appropriate performance standards for transition zones for buffering, screening and open space to protect adjacent uses;

(9) Other requirements including development agreements as deemed appropriate by the **Director**. ~~[director. The specific plan designation shall apply to areas with 10-acre minimum combined land area as designated on the master plan land use map. The specific plan designation shall not be used as the basis for development proposals unless and until a specific plan for the area is approved and adopted by the board. All discretionary permit applications submitted must be consistent with the applicable specific plan provisions, however, should a property owner in the specific plan designation desire to develop, prior to adoption of a specific plan, then an amendment to change the land use designation from specific plan to another land use will be required before the development proposal is approved by Carson City. However, should an area not be designated on the master plan land use map as a specific plan, it may be requested for specific plan designation accompanying a master plan amendment application. In such case the specific plan designation will be determined by the commission with recommendation by the director.]~~

~~\_\_\_\_\_ (10) All other code standards as required by Title 18 are applicable to the specific plan process.] [Staff note: The deleted verbiage in the last two paragraphs above is not specific plan submittal requirements, and is unnecessary. It is obvious that if a specific plan is adopted, you use it in the review of applications; if it's not adopted, you don't. Staff is not clear on the intent of the 10 acre reference as currently written, but staff believes there is no need for any limitation related to property size. Also, it is unnecessary to say other title 18 requirements apply; other requirements may always apply.]~~

(c) Concurrent Processing of Applications. If a proposed project requires more than 1 application under the provisions of this title, the applications may be filed at the same time and processed concurrently.

(d) Time Period for Hearing. Public hearings conducted by the ~~[commission]~~ Commission shall be initiated ~~[within forty five (45) days from]~~ **not more than 45 days after** the date the resolution was adopted or the complete application was accepted.

(e) Time Period for Action. The ~~[commission]~~ **Commission** may take action on the proposed ~~[master plan amendment]~~ **Master Plan Amendment** or element at the conclusion of the public hearing, but shall take action no later than 90 days after ~~[the resolution was]~~ **a resolution initiating a Master Plan Amendment application is** adopted or ~~[the]~~ **a complete application [was] is** accepted. An extension of time for ~~[commission]~~ **Commission** action may be granted if mutually agreed upon between the applicant and the ~~[commission]~~ **Commission**.

8. Notice for Master Plan Amendments or Elements. Notice **of the Commission hearing** for all ~~[master plan amendments]~~ **Master Plan Amendments** or elements shall be given in accordance with the provisions of this section and NRS 278.210. **If a proposed Master Plan Amendment includes changes to the Master Plan land use map, property owner notice shall also be provided in accordance with CCMC 18.02.045 (Notice of Commission hearings).** ~~[If a master plan element contains specific development plans, then notice in addition to this section as well as NRS 278.210 shall be accomplished, and furthermore, noticing of the specific development site shall be in accordance with the provisions of NRS 278.315(3) and CCMC 18.02.045 (Notice of Commission Hearings).~~

~~\_\_\_\_\_ (a) Amendment Not Affecting Boundaries. A proposed master plan amendment that does not change the boundaries of the land use categories of the land use plan map, e.g. text change, shall not require property owner noticing as set forth in Title 18 (Notice).]~~

9. Commission Action. The ~~[commission]~~ **Commission** may take action to adopt or deny the ~~[master plan amendment]~~ **Master Plan Amendment** or element request. An action to adopt the ~~[master plan amendment]~~ **Master Plan Amendment** or element shall be by resolution of the ~~[commission]~~ **Commission** carried by the affirmative votes of not less than ~~[2/3]~~ **two-thirds** of the total membership **of the Commission**. The resolution shall refer expressly to the maps, descriptive matter, text or other matter intended by the ~~[commission]~~ **Commission** to constitute the amendment or element. Failure of the ~~[commission]~~ **Commission** to hold a public hearing or take action within the time frames provided in this article shall constitute a recommendation of approval of the ~~[master plan amendment]~~ **Master Plan Amendment** or element application.

10. Commission Findings **for Master Plan Amendments**. When forwarding its decision to the ~~[board]~~ **Board** for adoption of ~~[the amendment]~~ **a Master Plan Amendment**, the ~~[commission]~~ **Commission** shall, at a minimum, make the following findings of fact:

(a) Consistency with Master Plan.

~~[(1) Adoption.]~~ The proposed amendment is in substantial compliance with the goals, policies and action programs of the ~~[master plan.]~~ **Master Plan. In considering this finding, the Commission:**

**(1) Shall weigh competing plan goals, policies and action programs; and**

**(2) May approve an application even if the goals, policies, or action programs in the Master Plan are inconsistent with the proposed amendment;**

~~[(2) Denial. The proposed amendment is not in substantial compliance with the goals, objectives and policies and action programs of the master plan.]~~

(b) Compatible Land Uses.

~~[(1) Adoption.]~~ The proposed amendment will provide for land uses compatible with existing adjacent land uses, and will not adversely impact the public health, safety or welfare. **The factors to be considered in evaluating this finding shall include:**

**(1) The general characteristics of the uses that may be conducted within the proposed land use designation are reasonably compatible with the types of uses permitted in the surrounding areas;**

(2) The potential for property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or lighting;

(3) The potential for any hazard to persons or property from possible explosion, contamination, fire or flood; and

(4) The potential for any impact on surrounding properties resulting from unusual volume or character of traffic as compared to the volume or character of traffic that could be expected under the existing land use designation;

~~[(2) Denial. The proposed amendment would result in land uses which are incompatible with existing adjacent land uses, and would adversely impact the public health, safety or welfare.]~~

(c) Response to ~~[Change]~~ **Changed** Conditions.

~~[(1) Approval.]~~ The proposed amendment addresses changed conditions that have occurred since the plan was adopted by the ~~[board]~~ **Board** and the requested amendment represents a more desirable utilization of land~~[-]~~ **; and**

~~[(2) Denial. The proposed amendment does not identify [and/] or address changed conditions of an area that have occurred since the plan was adopted by the board and the requested amendment does not represent a more desirable utilization of land.]~~

(d) Desired Pattern of Growth.

~~[(1) Approval.]~~ The proposed amendment will promote the desired pattern for the orderly physical growth of the city and guides development of the city based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

~~[(2) Denial. The proposed amendment does not promote the desired pattern for the orderly physical growth of the city. The proposed amendment does not guide development of the city based on the projected population growth with the least amount of natural resource impairment and/ or the efficient expenditure of funds for public services.]~~

~~[(e)]~~ **11. Commission Findings for Master Plan Elements.** When forwarding its decision to the ~~[board]~~ **Board** for adoption of a ~~[master plan]~~ **Master Plan** element, the ~~[commission]~~ **Commission** shall, at a minimum, make the following findings of fact:

~~[(1) The the]~~ **(a) The** the proposed element is consistent with and not contrary to the present elements of the ~~[Carson City master plan]~~ **Master Plan. In considering this finding, the Commission:**

(1) Shall weigh competing plan goals, policies and action programs; and  
(2) May approve an application that provides a public benefit even if the element is contrary to some of the goals, policies, or action programs in the Master Plan;

~~[(2) That the]~~ **(b) The** element shall be part of the ~~[city's master plan]~~ **Master Plan**, which is a comprehensive long-term document for the physical development of Carson City, and this element will now supplement the other ~~[master plan]~~ **Master Plan** elements that compose the ~~[Carson City master plan.]~~ **Master Plan; and**

~~[(3)]~~ **(c)** The proposed element will promote a desired pattern of orderly, physical growth of the city, ~~[and/]~~ or guides a particular type of development activity within Carson City, which will be based on the projected population growth with the least amount of natural resource impairment ~~[-and/or]~~ **and** the efficient expenditure of funds ~~[per]~~ **for** public services.

~~[(11.)]~~ **12.** Planning Commission Report. ~~[Within forty five (45) days of]~~ **Not more than 45 days after** the action by the ~~[commission]~~ **Commission** on the proposed ~~[master plan amendment]~~ **Master Plan Amendment** or element, a report describing the amendment or element, the discussion at the public hearing, testimony, notice and vote of the ~~[commission]~~ **Commission**, along with a certified copy of the proposed amendment or element shall be transmitted to the ~~[board]~~ **Board**. If the ~~[commission]~~ **Commission** does not recommend adoption, ~~[it should]~~ **the report must** state why the ~~[commission]~~ **Commission** could not make the required findings for adoption ~~[in subsection 10 of this section]~~. **Failure of the Commission to report to the Board not more than 45 days after the date of its hearing shall be deemed a recommendation of approval.**

~~[12. Action by Board - Master Plan Amendments. The board shall review a master plan amendment in accordance with the provisions of this section.~~

~~— (a) Time Period for Hearing. The director shall schedule a public hearing before the board Board regarding master plan amendments within 45 days after action taken by the commission.~~

~~— (b) Notice of Hearing. The public hearing shall be noticed as required by NRS 278.220.~~

~~— (c) Board Action. In reviewing a master plan amendment, the board shall consider the record and evidence introduced to the commission and may approve, modify or deny the commission's action. Final action to approve, modify or deny the amendment shall require a simple majority vote of the board members in attendance.~~

~~— If the board proposes to modify the approval action from the commission, the proposed modifications shall be referred to the commission for consideration. The commission shall be required to hold at least 1 public hearing on the modification. The commission shall submit a report on the proposed modification back to the board within 90 days from the date of referral by the board. Failure to report shall be deemed a recommendation of approval. Prior to making a final decision, the board shall be required to conduct a public hearing and notice this hearing pursuant to this article. If the commission does not recommend approval of the modification, approval of the proposed modification shall require a simple majority vote of the board members in attendance.]~~

13. Action by Board [~~-Master Plan Elements~~]. The [~~board~~] **Board** shall review a [~~master plan~~] **Master Plan Amendment or** element in accordance with the provisions of this section.

(a) Timing for Hearing. The [~~director~~] **Director** shall schedule a public hearing before the [~~board~~] **Board** regarding [~~master plan elements within 45 days of~~] **a Master Plan Amendment or element not more than 45 days after** the action by the [~~commission~~] **Commission**.

(b) Notice of Hearing. The public hearing shall be noticed as required by NRS 278.220.

(c) Board Action. In reviewing a [~~master plan~~] **Master Plan Amendment or** element, the [~~board~~] **Board** shall consider the record and evidence introduced to the [~~commission~~] **Commission**, and may approve, modify or deny the [~~commission~~] **Commission's** action. Final action to approve, modify or deny the [~~master plan~~] **Master Plan Amendment or** element shall require a simple majority of the [~~board~~] **Board** members in attendance. If the [~~board~~] **Board** proposes to modify the [~~approval action of the commission~~] **Commission's action** regarding a [~~master plan~~] **Master Plan Amendment or** element, the proposed modifications shall be referred to the [~~commission~~] **Commission** for consideration. The [~~commission~~] **Commission** shall [~~be required to hold 1~~] **conduct a** public hearing on the modification. The [~~commission~~] **Commission** shall [~~submit a report on the proposed modification back to the board within 90 days from~~] **Board not more than 90 days after** the date of referral by the [~~board~~] **Board**. Failure **of the Commission** to report **to the Board within the required time period** shall be deemed a recommendation of approval. Prior to making a final decision, the [~~board~~] **Board** shall [~~be required to~~] conduct a public hearing and notice this hearing [~~pursuant to this section~~] **as required by NRS 278.220**. [~~If the commission Commission does not recommend approval of the proposed modification, approval~~] **Approval** of the proposed modification **by the Board** shall require a simple majority vote of the [~~board~~] **Board** members in attendance.

14. Effective Date. A [~~master plan amendment~~] **Master Plan Amendment** or element shall become effective immediately upon a determination by the [~~board~~] **Board** that the amendment or element is in conformance with the [~~master plan~~] **Master Plan** and all noticing procedures have been fully complied with.

15. One-Year Wait for Denials. After the denial of a [~~master plan amendment~~] **Master Plan Amendment by the Board**, no application for a [~~master plan amendment~~] **Master Plan Amendment** for the same or similar amendment may be accepted for 1 year [~~immediately following the denial~~] **after the date of the Board action denying the application**.

*[Staff notes: Most of the above changes are clerical in nature. The only substantive changes are to the required findings are where the proposed findings would now include additional direction regarding the factors that should be considered when making a determination on certain findings. The addition of this verbiage is based on past discussions with the Planning Commission regarding receiving more direction*

*on how to evaluate subjective findings, and these revised findings are proposed to be used for various application types. The proposed additions to the findings are based on new findings recently being considered for inclusion in Reno's new code amendments.]*  
(Ord. 2005-21 § 2, 2005: Ord. 2002-41 § 2, 2002: Ord. 2001-23 § 2 (part), 2001).

**18.02.075 - Zoning [~~map amendments and zoning code amendments~~] Map Amendment and Zoning Code Amendment.**

1. Amendments. This title and [~~land use~~] **the zoning** map incorporated herein may be amended, repealed or supplemented by the [~~board~~] **Board**.

2. Application Requirements. Amendments to this title or the [~~city's~~] **City's** official zoning [~~district~~] map may be initiated by the [~~commission~~] **Commission**, the [~~board~~] **Board**, or an owner of a lot or parcel, by filing with the [~~director a signed and~~] **Director a** complete application, accompanied by the [~~necessary~~] **required** fee, and application materials including all evidence and facts required under this section.

3. Investigation. The [~~director~~] **Director** shall investigate each application to assure that the proposal is consistent with the requirements of this title.

4. Hearing.

(a) The [~~commission~~] **Commission** shall [~~first~~] hold a public hearing on all proposed amendments [-

~~\_\_\_\_\_ (b) Such hearings shall be held within sixty five (65) days following]~~ **not more than 65 days after** the acceptance of a complete application.

~~\_\_\_\_\_ (c) (b) When the [~~commission deems it proper~~] **Commission deems it appropriate**, it may consider other property for [~~change~~] **amendment**, in addition to that sought in the application [~~; provided, that proper notice has been given pursuant to this subchapter.~~] **, and instruct the Director to initiate a zoning map amendment for the additional property. An amendment for any additional property directed by the Commission is subject to the requirements of this section.**~~

5. Findings. [~~The applicant for a zoning map amendment or zoning code amendment shall have the burden of proof to provide facts supporting the proposed zoning map amendment or zoning code amendment. For purposes of legal clarity, this shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the commission and the board. Additionally, the applicant shall provide adequate information in the application and on the site plan to substantiate the findings required in this section. The commission and board shall determine if the information presented is adequate to support their decisions.~~

~~\_\_\_\_\_ (a) Before a zoning map amendment may be recommended for approval, the applicant shall provide evidence to the commission and board concerning the physical use of land and zoning currently existing in the general vicinity, and which have occurred in the previous five (5) year time period, and describe:~~

- ~~\_\_\_\_\_ (1) How the proposal will impact the immediate vicinity,~~
- ~~\_\_\_\_\_ (2) How the proposal supports the goals, objectives and recommendations of the master plan concerning land use and related policies for the neighborhood where the subject project is situated,~~
- ~~\_\_\_\_\_ (3) If the proposed amendment will impact properties within that use district,~~
- ~~\_\_\_\_\_ (4) Any impacts on public services and facilities.~~

~~\_\_\_\_\_ (b) The [~~commission~~] **Commission**, in forwarding a recommendation to the [~~board~~] **Board** for approval of a [~~zoning map amendment or zoning code amendment~~] **Zoning Map Amendment or Zoning Code Amendment**, shall make the following findings of fact:~~

~~\_\_\_\_\_ (1) That the] (a) The proposed amendment is in substantial compliance with and supports the goals and policies of the master plan[;]~~ **. In considering this finding, the Commission:**

- ~~\_\_\_\_\_ (1) Shall weigh competing plan goals, policies and action programs; and~~
- ~~\_\_\_\_\_ (2) May approve an application that provides a public benefit even if the some of the goals, policies, or action programs in the Master Plan are inconsistent with the proposed amendment;~~

~~[(2) That the]~~ **(b) 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<sup>[7]</sup>. **The factors to be considered in evaluating this finding shall include**

**(1) The general characteristics of the uses that may be conducted within the proposed zoning district are reasonably compatible with the types of uses permitted in the surrounding areas; and**

~~[(3) That the]~~ **(c) 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 factors to be considered in evaluating this finding shall include:**

**(1) The potential for property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or lighting;**

**(2) The potential for any hazard to persons or property from possible explosion, contamination, fire or flood; and**

**(3) The potential for any impact on surrounding properties resulting from unusual volume or character of traffic as compared to the volume or character of traffic that could be expected under the existing zoning designation.**

*[Staff note: Deleted verbiage in paragraph 5 (applicant's burden of proof) is moved to CCMC 18.02.050[4] to be used generally for all application findings. Deleted verbiage in subparagraph 5(a) is redundant in that it states a general application submittal requirement to show that the project meets the required findings for approval.]*

#### **6. Decision of the Commission.**

~~[(a)]~~ Following the public hearing, the ~~[commission]~~ **Commission** shall determine if there is adequate evidence in the record to support the facts and findings required by this section and shall approve, **modify** or deny the request for the ~~[zoning map amendment or zoning code amendment]~~ **Zoning Map Amendment or Zoning Code Amendment**.

~~[(b) The applicant may request a continuance of any application for a zoning map amendment or zoning code amendment to a future meeting. A continuance suspends the time lines established in NRS and this code.~~

~~7. Notice. Notice of an appeal hearing shall be provided in accordance with section 18.02.045.]~~

*[Staff note: Continuance verbiage is applicable to all applications and is moved to CCMC 18.02.035 (Commission and Board applications). Notice of an appeal is not applicable here, as all zoning amendment applications go to the Board.]*

#### ~~[8-]~~ **7. Report to the [board] Board.**

(a) After the hearing of the ~~[commission]~~ **Commission**, the ~~[commission]~~ **Commission** shall make a recommendation on the application to the ~~[board]~~ **Board**.

(b) The ~~[commission]~~ **Commission** shall ~~[also]~~ forward to the ~~[board]~~ **Board** a copy of its decision and findings in accordance with this section recommending approval, modification or denial of the proposed ~~[zoning map amendment or zoning code amendment]~~ **Zoning Map Amendment or Zoning Code Amendment**.

(c) Failure of the ~~[commission]~~ **Commission** to report ~~[within thirty (30) days of]~~ **to the Board not more than 30 day after** the date of its hearing~~[, unless the hearing date has been continued with the applicant's concurrence,]~~ shall be deemed a recommendation of approval.

~~[(d) The applicant or the commission with the applicant's concurrence, may continue any application for a zoning map amendment or zoning code amendment to a future meeting in order to ensure that the applicant has adequate time to present required information or other materials needed for consideration of the decision. A continuance, when approved with applicant concurrence, suspends the time lines established in NRS and this code.]~~ *[Staff note: Continuance verbiage is applicable to all applications and is moved to CCMC 18.02.035 (Commission and Board applications).]*

~~[9-]~~ **8. Action by Board.** The ~~[board]~~ **Board** shall consider the evidence relating to the ~~[zoning map amendment or zoning code amendment]~~ **Zoning Map Amendment or Zoning Code Amendment**

and may approve, **modify** or deny the recommendation of the ~~[commission]~~ **Commission by a simple majority vote of the Board members in attendance.**

(Ord. 2004-13 § 15, 2004: Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2016-11, § III, 7-7-2016](#) )

**18.02.080 - Special ~~[use permit]~~ Use Permit (conditional uses).**

1. Authority. The Commission shall have the discretionary authority to approve, conditionally approve~~[, continue within allowed time frames,]~~ or deny a Special Use Permit for any conditional use. *[Staff note: Continuance provisions contained in CCMC 18.02.035.]*

2. Application Requirements. Before a Special Use Permit may be considered for approval:

**(a) Any person requesting a Special Use Permit shall file a complete application with the planning division. The application shall include the information, site plans and other materials determined by the Director to be necessary to support the requirements of this section.**

~~[(a) The applicant shall file with the Planning Division plans showing the applicant's intent and meeting the requirements for a complete application , including a signature of at least one (1) owner of record of the subject property. The detailed site plan will include a landscaping plan conceptually designed in accordance with the requirements listed in Division 3, Landscaping, of the Development Standard].~~

*[Staff note: Certification of property owner approval of an application is required under the new online permitting software system, and landscape plan submittal requirement are listed on an application.]*

**(b) The proposed use shall be listed as a conditional use in the ~~[land use]~~ zoning district in which the property is located or shall be a similar use to a use listed as a conditional use in that zoning district as determined by the Director pursuant to CCMC 18.04.020 (Determination of districts).** ~~[not listed. The Director shall determine whether or not a use not included as a conditional use is a similar use that does not deviate from the pattern of other conditional uses in that land use district and complies with that district's purpose statement.]~~

3. Investigation. The Director shall investigate each application to assure that the proposal is consistent with the requirements of this ~~[Title]~~ **title.**

4. Hearing.

**(a) The Commission shall hold a public hearing, not ~~[later than sixty five (65)]~~ not more than 65 days after acceptance of a complete application~~[, and shall give notice of time and place and purpose thereof by mailing a notice, pursuant to Title 18 (Notice)].~~**

**(b) Notice of the Commission hearing shall be given in accordance with CCMC 18.02.045 (Notice of Commission hearing).**

~~[(b)]~~ **(c) The Commission shall hear and consider evidence and facts regarding the Special Use Permit application from any person at the public hearing ~~[, or shall consider]~~ or by written communication from any person ~~[relative to the proposed Special Use Permit].~~**

5. Findings. ~~[Findings from a preponderance of evidence must indicate that the proposed use]~~ **In approving a Special Use Permit, the Commission shall make the following findings of fact:**

**(a) ~~[Will be consistent]~~ The proposed use will be in substantial compliance with the objectives of the Master Plan ~~[elements;]~~ . In considered this finding, the Commission:**

**(1) Shall weigh competing plan goals, policies and action programs; and**

**(2) May approve an application even if the goals, policies, or action programs in the Master Plan are inconsistent with the proposed project;**

**(b) The proposed location of the use is in accordance with the objectives of this title and the purpose of the zoning district in which the site is located;**

**(c) The proposed site location and scale, intensity, density, height, layout, setbacks, architectural and overall design of the development and the uses proposed contribute to and enhance the character of the area in which it is located;**

**(d) The granting of the Special Use Permit will not be materially detrimental to the public health, safety or welfare. The factors to be considered in evaluating this finding shall include:**



(1) Property damage or nuisance resulting from noise, vibrations, fumes, odors, dust, glare or physical activity;

(2) Any hazard to person or property from possible explosion, contamination, fire or flood; and

(3) Any impact on the surrounding area resulting from unusual volume or character of traffic as compared to the volume or character of traffic that could be expected from permitted uses within the zoning district in which the property is located;

(e) The characteristics of the proposed use is reasonably compatible with the types of uses permitted in the surrounding area; and

(f) The use will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements.

~~[(b) Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right of way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity; [Staff note: See new paragraphs (c) and (d).]~~

~~— (c) Will have little or no detrimental effect on vehicular or pedestrian traffic; [Staff note: See new paragraph (d)(3).]~~

~~— (d) Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements; [Staff note: See new paragraph (f).]~~

~~— (e) Meets the definition and specific standards set forth elsewhere in this Title for such particular use and meets the purpose statement of that district; [Staff note: See new paragraph (b).]~~

~~— (f) Will not be detrimental to the public health, safety, convenience and welfare; and [Staff note: See new paragraph (d).]~~

~~— (g) Will not result in material damage or prejudice to other property in the vicinity, as a result of proposed mitigation measures. [Staff note: See new paragraphs (c) and (d).]~~

~~— (h) The applicant for a Special Use Permit shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed Special Use Permit. For purposes of legal clarity, this shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Commission and the Board. Additionally, the applicant shall provide adequate information in the application and on the site plan to substantiate the findings required in this Section. [Staff note: (h) Stated for all applications in 18.02.050(4) (Review).]~~

#### 6. Decision.

~~[(a)]~~ Following the public hearing, the Commission shall determine if there is a preponderance of evidence in the record to support the findings required by this ~~[Section]~~ **section** and shall approve, conditionally approve, modify ~~[-, continue within allowed time frames]~~ or deny the Special Use Permit request.

~~[(b) The applicant may request a continuance of any application for a Special Use Permit to a future meeting. A continuance suspends the time lines established in NRS and this code.] [Staff note: Continuance provisions contained in CCMC 18.02.035.]~~

7. Conditions of Approval. The Commission, in approving ~~[any]~~ **a** Special Use Permit, may require certain conditions under which the lot or parcel may be used or the building constructed if, in ~~[such]~~ **the** Commission's opinion, ~~[the use will otherwise be incompatible with other existing and potential uses within the same general area or will constitute a nuisance or will overburden public services, improvements or facilities]~~ **the conditions are necessary for the use to meet the required findings for approval of the Special Use Permit.** Standard ~~[Conditions of Approval]~~ **conditions of approval** are found in ~~[section]~~ **CCMC 18.02.105.**

#### 8. Expiration; Revocation.

(a) Where a use permitted by an approved Special Use Permit is not ~~made~~ **initiated** on the property ~~[within twelve (12) months from]~~ **not more than 12 months after** the date of approval, unless additional time is granted by the Commission based upon consideration of the specific circumstances of the project, then without further action, the Special Use Permit shall be null and void and ~~such~~ **the** use shall not be ~~made of~~ **permitted on** the property except upon the granting of a new Special Use Permit.

(b) **If the use for which the Special Use Permit was granted is discontinued for 12 consecutive months, the** Special Use Permit is void ~~[one (1) year after the activity granted by such Special Use Permit is discontinued].~~

(c) In the event that circumstances beyond the control of the applicant result in a failure to complete applicable Special Use Permit conditions and ~~construct or commence~~ **initiate** the use prior to the expiration date, the applicant may, in writing, request an extension of the expiration date. The written request for an extension ~~shall~~ **must** be received by the ~~[Planning Division thirty (30)]~~ **planning division not less than 30** days prior to the expiration date and shall state the reason for the extension. The Director may approve a ~~[one year]~~ **1-year** extension from the original date of Special Use Permit expiration, **or the Director may refer the extension request to the Commission.** ~~[with the option of Commission review.]~~ The Commission may approve additional extensions of time subject to the consideration of the continued appropriateness of the Special Use Permit ~~[and may be subject to the imposition of additional conditions by the Commission]~~ **based on the required Special Use Permit findings. When considering an extension, the Commission may impose additional conditions on the Special Use Permit** to ensure that the activity permitted by the Special Use Permit ~~[does not adversely impact other properties in the area or the public interest]~~ **continues to meet the required findings for approval of a Special Use Permit.**

(d) A Special Use Permit shall be, upon violation, subject to revocation or amendment by the Commission **in accordance with CCMC 18.02.090.**

(Ord. 2004-13 § 16, 2004: Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2008-37, § I, 12-4-2008](#) )

#### **18.02.085 - Variances.**

1. Authority. The Commission shall have the discretionary authority to approve, conditionally approve ~~[, continue within allowed time frames,]~~ or deny a Variance. *[Staff note: Continuance provisions contained in CCMC 18.02.035.]*

#### 2. Application Requirements.

(a) Any person requesting a Variance shall file a complete application ~~[signed by at least one (1) owner of record of the subject property with the Planning Division]~~ **with the planning division.** ~~[Such]~~ **The** application shall include the information, site plans and other materials determined by the Director to be necessary to support the requirements of this ~~[Section]~~ **section.** *[Staff note: Certification of property owner approval of an application is required under the new online permitting software system.]*

~~[(b) The applicant for a Variance shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed Variance. For purposes of legal clarity, this shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Commission and, if on appeal, by the Board. Additionally, the applicant shall provide adequate information in the application and on the site plan to substantiate the findings required in this Section.]~~

~~[(c) The Commission and Board shall determine if the information presented by a preponderance of the evidence supports their decisions.] [Staff note: Paragraphs (b) and (c) stated for all applications in 18.02.050(4) (Review).]~~

3. Investigation. The Director shall investigate each application to assure that the proposal is consistent with the requirements of this ~~[Title]~~ **title.**

#### 4. Hearing.

(a) The Commission shall hold a public hearing ~~[,]~~ not later than ~~[sixty five (65)]~~ **65** days after the acceptance of the complete application.

**(b) Notice of the Commission hearing shall be given in accordance with CCMC 18.02.045 (Notice of Commission hearing).**

~~[(b)]~~ **(c)** The Commission shall hear and consider evidence and facts **regarding the Variance application** from any person at the public hearing ~~[, or shall consider]~~ **or by** written communication from any person ~~[relative to the Variance].~~

5. Findings. **In approving a Variance, the Commission shall make the following findings of fact:**

(a) ~~[That because]~~ **Because** of special circumstances applicable to the subject property, including shape, size, topography or ~~[location of surroundings]~~ **relation to surrounding properties at the time of enactment of the regulation for which the Variance is being sought**, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity ~~[or under identical zone classification]~~ **within the same zoning district;**

(b) ~~[That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant;]~~ **The strict application of the regulation would result in peculiar and exceptional practical difficulties, or exceptional and undue hardship; and**

(c) ~~[That the]~~ **The** granting of the ~~[application]~~ **Variance** will not, under the circumstances of the particular case, **be materially detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity.** ~~[adversely affect to a material degree] the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.]~~ *[Staff note: These are typical variance findings for communities throughout Nevada and the U.S.]*

6. Decision.

~~[(a)]~~ Following the public hearing, the Commission shall determine if there is adequate evidence in the record to support the findings required by this ~~[Section]~~ **section** and shall approve, conditionally approve, modify ~~[, continue within allowed time frames,]~~ or deny the Variance request.

~~[(b) The applicant may request a continuance of any application for a Variance to a future meeting. A continuance suspends the time lines established in NRS and this code.]~~ *[Staff note: Continuance provisions contained in CCMC 18.02.035.]*

7. Conditions of Approval.

~~[(a)]~~ The Commission, in approving ~~[any]~~ **a** Variance, may require conditions under which the lot or parcel may be used or the building constructed ~~[which, in such]~~ **that, in the** Commission's opinion ~~[will prevent material damage or prejudice to adjacent properties]~~ **, are necessary for the project to meet the required findings for approval of the Variance.** Standard Conditions of Approval are found in ~~[section]~~ **CCMC 18.02.105.**

~~[(b) Before a Variance shall be granted, the applicant shall sign an agreement to fulfill all conditions established by the City.]~~ *[Staff note: The Commission's action is the final decision; the applicant's concurrence is unnecessary and is not obtained in writing before the final approval.]*

8. Expiration.

(a) Where an approved Variance is not ~~[developed or exercised within twelve (12)]~~ **initiated within 12** months of the date of approval, unless additional time is granted by the Commission based upon consideration of the specific circumstances of the project, then without further action, the permit shall be null and void and such development activity shall not be ~~[made of]~~ **initiated on** the property except on the granting of a new Variance ~~[permit].~~

(b) In the event that circumstances beyond the control of the applicant result in a failure to complete applicable Variance conditions and ~~[construct or commence]~~ **initiate** the project prior to the expiration date, the applicant may request in writing an extension of the expiration date. The written request for an extension ~~[shall]~~ **must** be received by the Director ~~[thirty (30)]~~ **not less than 30** days prior to the expiration date and shall state the reason for the extension. The Director may approve a ~~[one year]~~ **1-year** extension from the original date of Variance expiration, **or the Director may refer the extension request to the Commission.** ~~[with the option of Commission review.]~~ The Commission may approve

additional extensions of time subject to the consideration of the continued appropriateness of the Variance ~~[and may be subject to the imposition of additional conditions by the Commission]~~ **based on the required Variance findings. When considering an extension, the Commission may impose additional conditions on the Variance** to ensure that the project permitted by the Variance ~~[does not adversely impact other properties in the area or the public interest]~~ **continues to meet the required findings for approval of a Variance.**

9. Limitations on Variances. No variance shall be granted that allows a land use **that is** prohibited in the zoning district in which it is located or that changes any boundary of the district; nor shall any variance be granted that changes the permitted residential density of a zoning district.

10. Minor Variances. The Director may grant a deviation of less than 10 percent from the requirements of ~~[Title]~~ **title** 18 established within a zoning district, subject to the following:

(a) The applicant shall submit the request in writing to the Director stating the provision of the zoning ordinance that ~~[are]~~ **is** proposed to be modified, including the extent of the deviation to the existing zoning provision. The request shall include maps, including the relation of the property and deviation to surrounding properties, displays and other materials as necessary for the Director to review<sup>[5]</sup> the application.

(b) The applicant ~~[shall]~~ **must** submit the written consent of the owner of any adjacent property that could be affected by the requested deviation. If written consent is not submitted to the satisfaction of the Director, the Director may require the applicant to submit a Variance application, including all Variance submittal requirements and fee, for review by the ~~[Planning]~~ Commission.

(c) In approving minor variance, the Director shall find that the deviation will not impair the purpose of the zoning district **in which the property is located** or **the zoning regulation from which relief is being sought.**

(d) The Director may impose conditions of approval for ~~[variances]~~ **a Minor Variance** pursuant to CCMC 18.02.105 (Standard Conditions of Approval) and as necessary to meet the required finding.

(e) The ~~[director]~~ **Director** shall render a decision ~~[within 30 days of]~~ **not more than 30 days after the** receipt of the request, and shall send written notification of the decision to the applicant.

(f) The Director's decision may be appealed to the ~~[Planning]~~ Commission pursuant to CCMC 18.02.060 (Appeals).

(Ord. 2007-9 § 1, 2007: Ord. 2004-13 § 17, 2004: Ord. 2001-23 § 2 (part), 2001). ([Ord. No. 2008-37, § II, 12-4-2008](#))

#### **18.02.090 - Revocation or reexamination of ~~[variance or special use permit]~~ Variance or Special Use Permit.**

**1.** Any of the following reasons or occurrences are grounds for a hearing on revocation or reexamination of a ~~[variance or special use permit]~~ **Variance or Special Use Permit**, pursuant to ~~[Title 18 (Show Cause Procedures)]~~ **show cause procedures of CCMC 18.02.095:**

~~[1. A failure]~~ **(a) Failure** or refusal of the applicant to comply with any of the terms or conditions of a **Variance or Special Use Permit.** ~~[variance or special use permit; the director can review variations in approved landscape plans that deviate up to 25 percent from the approved plans.]~~ *[Staff note: Provisions for modifications to approved landscape plans are in the Development Standards.]*

~~[2. Resubmittal of plans that substantially differ from an approved design that require subsequent review will incur additional fees.]~~ *[Staff note: See revised paragraph 2 below.]*

~~[3.]~~ **(b)** Any misrepresentation made in the application for a ~~[variance or special use permit]~~ **Variance or Special Use Permit.**

~~[4.]~~ **(c)** Any act or failure to act by the applicant or its agents or employees directly related to the ~~[variance or special use permit which]~~ **Variance or Special Use Permit that** would be a violation of ~~[federal or state law or a violation of the code]~~ **federal law, NRS or CCMC;**

~~[5.]~~ **(d)** Any act or failure to act by the applicant or its agents or employees directly relating to the ~~[variance or special use permit which]~~ **the Variance or Special Use Permit that** creates or tends to create a public nuisance or is detrimental to the public health, safety and welfare;

[6-] (e) A failure to return a signed copy of the notice of decision [~~21 days from receipt of said~~] **not more than 21 days from the date of receipt of the** notice.

**2. Resubmittal of plans that substantially differ from those approved as part of a Variance or Special Use Permit application shall require the submittal of an amended Variance or Special Use Permit application, as applicable, including applicable fees.**

[7- Further use of a revoked variance or special use permit] **3. The continued use of a revoked Variance or Special Use Permit shall constitute a violation of this title and shall be [punishable as herein] subject to enforcement as provided in CCMC 18.02.030.** (Ord. 2007-28 § 2, 2007: Ord. 2004-13 § 18, 2004: Ord. 2001-23 § 2 (part), 2001).

**18.02.095 - Show cause procedure of [variance or special use permit] Variance or Special Use Permit.**

1. Procedures.

(a) The [~~commission~~] **Commission**, upon its own motion, or upon the sworn complaint in writing of any person, or upon information presented by the [~~director, shall~~] **Director, may** request that the [~~director~~] **Director** investigate the conduct of any applicant under this chapter to determine whether grounds for revocation or reexamination of any [~~variance or special use permit~~] **Variance or Special Use Permit** exist. The [~~director will~~] **Director shall** notify the applicant of any investigation **upon the Commission's action to request the investigation and** prior to any public hearing.

(b) After an investigation, if the [~~commission~~] **Commission** determines that [~~a ground~~] **grounds** for revocation or reexamination of a [~~variance or special use permit exists~~] **Variance or Special Use Permit exist**, [~~then the commission~~] **the Commission** shall direct staff to issue and serve the applicant with an order to show cause why the [~~variance or special use permit~~] **Variance or Special Use Permit** should not be revoked or reexamined. The order shall contain:

(1) A statement directing the applicant or applicant's representative to appear before the [~~commission~~] **Commission** at a particular time and place; [~~provided, that the applicant has at least 10 days from the date of service of the order before the scheduled meeting;~~]

(2) A statement of the grounds for revocation;

(3) A statement that the applicant shall have an opportunity to be heard, present witnesses and respond to any witnesses against him.

(c) **Notice of the show cause hearing must be served to the applicant not less than 10 days prior to the show cause hearing date.** Service on the applicant shall be made by personally delivering a copy of the order to show cause to one of the persons whose name is on the application or by mailing a copy of the order by registered mail with return receipt to the applicant's address, [~~which is specified on the variance or special use permit~~] **as listed on the Variance or Special Use Permit application.**

2. Hearing.

(a) At the hearing on the order to show cause, the applicant and the complainant, if there is one, may be represented by attorneys, present testimony and question witnesses. If the hearing is pursuant to a complaint, the complainant must also be present.

(b) After the conclusion of discussion and public testimony, the possible actions that the [~~commission~~] **Commission** may take include approval, approval with conditions, denial, modification of permit conditions of approval, **and** limited suspension [~~and continuance with the concurrence of the applicant~~] **of the approved permit.**

(c) [~~Within~~] **Not more than 20 days** after the hearing, the [~~commission~~] **Commission** must render its decision as to revocation [~~or~~] **or** reexamination and give notice of decision [~~thereof~~] to the applicant. An order of revocation requires a majority vote of the [~~commission~~] **Commission** members in attendance.

3. Appeal of Show Cause Hearing Determination.

**(a) Appeals shall be made in accordance with and are subject to the provisions of CCMC 18.02.060 (Appeals) for appeals of the Commission's decision.**

**(b) Notwithstanding other provisions of this section or CCMC 18.02.060, an appeal of the Commission's decision regarding a show cause hearing shall be heard by the Board not more than 45 days from the date of the Commission's decision.**

~~[(a) Any affected person or entity may appeal any show cause hearing decision of the commission to the board provided the appellant has participated in the administrative process prior to filing the appeal.~~

~~\_\_\_\_\_ (b) The affected person or entity must request appeal by providing written notice of appeal to the director within ten days after issuance of the notice of the commission decision by the director.~~

~~\_\_\_\_\_ (c) The director must schedule the appeal for the next available board meeting following receipt of the notice of appeal.~~

~~\_\_\_\_\_ (d) Appellant may request one , 10 day extension of time by written application to the director but in no case may the board hear the appeal unless the appeal is heard not later than 45 days after issuance of the notice of decision.~~

~~\_\_\_\_\_ (e) The applicant's notice of appeal must provide the necessary facts or other information that supports the appellant's contention that the staff or commission erred in the commission's consideration of findings in supporting its decision.~~

~~\_\_\_\_\_ (f) The appeal must specify the project or decision for which the appeal is being requested. The appeal must indicate which aspect of the decision or findings are being appealed. No other aspect of the appealed decision may be heard. Only issues discussed at the commission meeting may be appealed to the board. If new information is submitted by the board meeting which was not considered by the commission, the board, prior to taking action, may refer the matter back to the commission for further review and possible action.~~

~~\_\_\_\_\_ (g) An appeal decision from the board is final. Any further appeal of the board decision must be in the court of competent jurisdiction within the time frames established by NRS.]~~

(Ord. 2004-13 § 19, 2004: Ord. 2001-23 § 2 (part), 2001).

*[Staff note: Repeating the appeal provisions of CCMC 18.02.060 is redundant and not necessary.]*

**18.02.100 - Major ~~[project review]~~ Project Review (MPR).**

1. Purpose. The purpose of the ~~[MPR]~~ **Major Project Review** process is to provide a preliminary review of development plans ~~[for projects]~~ to reduce the need for an applicant to contact individual city departments and other agencies to obtain information relevant to the approval of a project. This review allows an applicant to ascertain what may be required to gain approval for a project during the city's permitting review process. The ~~[MPR]~~ **Major Project Review** process is utilized to solicit many of the requirements and recommendations of the various city departments in a coordinated and comprehensive fashion.

2. Applicability.

**(a) A [MPR] Major Project Review is required prior to submitting for any other required permit for the following project types: [for all mobilehome parks, RV parks, campgrounds and multi-family projects, as well as commercial, office and industrial projects and institutional or public uses with building area greater than 50,000 square feet, and for increases in floor area or number of units/spaces for such uses of 10 percent or more.]**

**(1) Mobilehome and manufactured home parks;**

**(2) RV parks;**

**(3) Campgrounds;**

**(4) Multi-family residential development;**

**(5) Commercial, industrial, institutional and public development with a building area of more than 50,000 square feet; and**

**(6) Increases of 10 percent or more in floor area or number of units or spaces for the project types listed above.**

**(b) Applicants for smaller projects or other types of projects may make application for [MPR] a Major Project Review on a voluntary basis.**

3. Process.

(a) The ~~[director]~~ **Director**, upon submission of a ~~[MPR]~~ **Major Project Review** application and required submittal information, ~~[will]~~ **shall** circulate the application to city departments and agencies for review. A ~~[MPR]~~ **Major Project Review** meeting will be scheduled by staff ~~[within]~~ **no more than 30** days **after the date** of submittal. At the **Major Project Review** meeting, city staff from various city departments will identify design concerns, offer alternative design considerations, identify code deficiencies and other issues as can be determined from the application materials. Applicants are encouraged to ask staff questions relevant to the project.

(b) A letter ~~[is]~~ **shall be** sent to the applicant upon conclusion of the **Major Project Review** meeting outlining the ~~[recommendation]~~ **recommendations** and concerns ~~[relative to the MPR meeting.]~~ **of various City departments.**

**(c) For projects for which a Major Project Review is required pursuant to this section, an applicant may submit for applicable permits only after receiving the Major Project Review letter.**  
~~[The applicant is then able to address the concerns noted at the MPR and may then submit plans for formal project applications and permits.]~~

(Ord. 2007-9 § 2, 2007; Ord. 2001-23 § 2 (part), 2001).

**18.02.105 - Standard conditions of approval.**

The standard conditions contained in this section are imposed on applications requiring discretionary approval. Additional conditions may be imposed by city staff ~~[and/or the planning commission]~~, **the Commission or the Board as necessary to make the required findings for each application type.**

1. Special **Use Permit** ~~[use permit].~~

(a) All development shall be substantially in accordance with the ~~[attached site development plan]~~ **plans approved with the application, as modified by any conditions of approval.**

(b) All on and off-site improvements shall conform to city standards and requirements.

(c) The use for which this permit is approved shall ~~[commence within 12 months of]~~ **be initiated not more than 12 months after** the date of final approval. A **request for a** single, ~~[1-year]~~ **1-year** extension of time ~~[must]~~ **may** be requested **and granted by the Director provided that the request is submitted** in writing to the ~~[planning and community development department]~~ **planning division not less than 30** days prior to the ~~[1-year]~~ **1-year** expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision ~~[for conditions of approval within 10 days of receipt of notification]~~ **not more than 21 working days after receipt of the notice of decision.** If the notice of decision is not signed and returned within ~~[10]~~ **21 working** days, ~~[then]~~ the item ~~[will]~~ **may** be rescheduled for the next ~~[planning commission]~~ **Commission** meeting for further ~~[considerations]~~ **consideration.**

~~[(e) All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.]~~

*[Staff note: Conditions of approval from various departments are directly incorporated into the conditions of approval, as applicable, not attached to the conditions of approval. The standard condition requiring that all development must comply with city standards covers most general department comments regarding an application.]*

2. Variance.

(a) All development shall be substantially in accordance with the ~~[attached site development plan]~~ **plans approved with the application, as modified by any conditions of approval.**

(b) All on and off-site improvements shall conform to city standards and requirements ~~[including all the requirements of the hillside development ordinance]~~. *[Staff note: Hillside standards are included in the requirement to meet all "city standards and requirements." ]*

(c) The use for which this permit is approved shall ~~[commence within 12 months of]~~ **be initiated not more than 12 months after** the date of final approval. A **request for a** single, ~~[1-year]~~ **1-year**

extension of time ~~[must]~~ **may** be requested **and granted by the Director provided that the request is submitted** in writing to the ~~[planning and community development department]~~ **planning division not less than** 30 days prior to the ~~[1-year]~~ **1-year** expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision for conditions of approval ~~[within 10 days of receipt of notification]~~ **not more than 21 working days after receipt of the notice of decision**. If the notice of decision is not signed and returned within ~~[10]~~ **21 working** days, ~~[then]~~ the item ~~[will]~~ **may** be rescheduled for the next ~~[planning commission]~~ **Commission** meeting for further consideration.

~~[(e) All other departments' conditions of approval which are attached, shall be incorporated as conditions of this report.]~~

### 3. Administrative Permits.

(a) All development shall be substantially in accordance with the ~~[attached site development plan]~~ **plans approved with the application, as modified by any conditions of approval**.

(b) All on and off-site improvements shall conform to city standards and requirements ~~[including all the requirements of the hillside development ordinance]~~.

(c) The use for which this permit is approved shall ~~[commence within 12 months of]~~ **be initiated not more than 12 months after** the date of final approval. A **request for a** single, ~~[1-year]~~ **1-year** extension of time ~~[must]~~ **may** be requested **and granted by the Director provided that the request is submitted** in writing to the ~~[planning and community development department]~~ **planning division not less than** 30 days prior to the ~~[1-year]~~ **1-year** expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision ~~[within 10 days of receipt of notification]~~ **not more than 21 working days after receipt of the notice of decision**. If the notice of decision is not signed and returned within ~~[10]~~ **21 working** days, then the item ~~[will]~~ **may** be rescheduled for the next ~~[planning commission]~~ **administrative hearing** meeting for further consideration.

~~[(e) All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.]~~

### 4. Temporary Use Permit.

(a) All development shall be substantially in accordance with the ~~[attached site development plan]~~ **plans approved with the application, as modified by any conditions of approval**.

(b) All on and off-site improvements shall conform to city standards and requirements ~~[including all the requirements of the hillside development ordinance]~~.

(c) The use for which this permit is approved shall ~~[commence within 12 months of]~~ **be initiated not more than 12 months after** the date of final approval. A **request for a** single, ~~[1-year]~~ **1-year** extension of time must be ~~[requested]~~ **submitted** in writing to the ~~[planning and community development department]~~ **planning division not less than** 30 days prior to the ~~[1-year]~~ **1-year** expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision ~~[within 10 days of receipt of notification]~~ **not more than 21 working days after receipt of the notice of decision**. If the notice of decision is not signed and returned within ~~[10]~~ **21 working** days, ~~[then]~~ the item ~~[will be rescheduled for the next planning commission meeting for further consideration]~~ **may be reconsidered by the Director**.

~~[(e) All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.]~~

### 5. Tentative Map.

(a) All ~~[parcel maps or preferably]~~ final maps shall be in substantial accord with the approved tentative map.

(b) Prior to submittal of any ~~[parcel map or preferably]~~ final map, the ~~[development engineering department shall approve all on-site and off-site improvements. The applicant shall provide]~~ **applicant must submit** construction plans to the development engineering ~~[department]~~ **division** for all required on-site and off-site improvements~~[, prior to any submittals for approval of a final map]~~ **and obtain City**



**approval of the plans.** The ~~[plan]~~ **plans** must adhere to the recommendations contained in the project soils and geotechnical report **and all applicable conditions of approval.**

(c) Lots not planned for immediate development shall be left undisturbed and mass grading and clearing of natural vegetation shall not be allowed. Any and all grading shall comply with city standards. A grading permit from the Nevada Division of Environmental Protection shall be obtained prior to any grading. ~~[Noncompliance with this provision shall cause a cease and desist order to halt all grading work.]~~  
*[Staff note: Noncompliance with this requirement would be subject to all remedies under CCMC.]*

(d) All lot areas and lot widths shall meet the zoning requirements approved as part of this tentative map ~~[with the submittal of any parcel map or preferably final map].~~

(e) With the submittal of any ~~[parcel map or preferably]~~ final maps, the applicant shall provide evidence ~~[to the planning and community development department]~~ from the **City** health and fire departments indicating the agencies' concerns or requirements have been satisfied. ~~[Said]~~ **The** correspondence shall ~~[be included in the submittal package for any [parcel map or preferably final maps, and shall]~~ include approval by the fire department of all hydrant locations.

(f) The following note shall be placed on all ~~[parcel maps or preferably]~~ final maps ~~[stating]:~~  
"These parcels are subject to Carson City's growth management ordinance and all property owners shall comply with provisions of ~~[said]~~ **the** ordinance."

~~[(g) All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.]~~

~~[(h)]~~ (g) Placement of all utilities~~[-, including AT&T Cablevision,]~~ shall be underground within the subdivision. Any existing overhead facilities shall be relocated prior to the submittal of a ~~[parcel map or preferably final maps]~~ **final map.**

~~[(i)]~~ (h) The applicant must sign and return the notice of decision for conditions for approval ~~[within 10 days of receipt of notification after the board of supervisors meeting]~~ **not more than 21 working days after receipt of the notice of decision.** If the notice of decision is not signed and returned within ~~[10]~~ **21 working** days, ~~[then]~~ the item ~~[will]~~ **may** be rescheduled for the next ~~[planning commission]~~ **Board** meeting for further consideration.

~~[(j)]~~ (i) Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and ~~[7:00]~~ **8:00** a.m. to 5:00 p.m. on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City building department ~~[will]~~ **may** issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately **and the City may take other enforcement actions as permitted under CCMC.**

~~[(k)]~~ (j) The applicant shall adhere to all city standards and requirements for water and sewer systems, grading and drainage, and street improvements.

~~[(l)]~~ (k) The applicant shall obtain a dust control permit from the Nevada Division of Environmental Protection **for site grading.** The site grading must incorporate proper dust control and erosion control measures.

~~[(m)]~~ (l) A detailed storm drainage analysis, water system analysis, and sewer system analysis shall be submitted to **and approved by** the development engineering department prior to approval of a final map.

~~[(n)]~~ (m) Prior to the recordation of the final map for any phase of the project, the improvements associated with the **particular phase of the** project must either be constructed and approved by Carson City, or the ~~[specific performance of said work]~~ **construction of the improvements** secured~~[,]~~ by providing the city with a proper surety in the amount of 150 percent of the engineer's **cost** estimate **for the improvements.** In either case, upon acceptance of the improvements by the ~~[city]~~ **City**, the developer shall provide the ~~[city]~~ **City** with a proper surety in the amount of ~~[10%]~~ **10 percent** of the engineer's **cost** estimate to secure the developer's obligation to repair defects in workmanship and materials which appear in the work ~~[within]~~ **less than** 1 year **after the date** of acceptance by the city.

~~[(o) A]~~ (n) **The applicant must provide a** "will serve" letter from the water and wastewater utilities ~~[shall be provided]~~ to the Nevada Health Division prior to approval of a final map.

(o) Unless a longer time is provided through a development agreement or by action of the Board prior to the expiration of the tentative map approval:

(1) The final map for the entire subdivision or the first final map for any phase thereof must be recorded not more than 4 years from the date of final approval of the tentative map; and

(2) Any final map for a subsequent phase of the subdivision must be recorded not more than 2 years after the recordation date of the previous phase.

The applicant is responsible for ensuring that plans are submitted to the City with adequate time for review and recordation prior to the tentative map expiration date.

~~[(p) The district attorney shall approve any CC&R's prior to recordation of the first final map.]~~

6. Planned Unit Development. All tentative map conditions of approval shall apply, and the following:

(a) All lot areas and lot widths shall meet the zoning requirements approved as part of this planned unit development ~~[with the submittal of any parcel map or preferably final map].~~

(b) The applicant shall preserve as many trees as practicable within the common open space areas. Mature trees damaged by fire and others in poor health shall be removed only after approval of the planning **division** ~~[and community development department].~~

(c) The homeowner's association shall maintain all common open space areas, including ~~[the]~~ **any** area devoted to the guest parking.

7. Parcel Map.

(a) These parcels are subject to the growth management ordinance and a note shall be placed on the map stating:

"These parcels are subject to Carson City's growth management ordinance and all property owners shall comply with provisions of ~~[said]~~ **the** ordinance."

(b) ~~[A tentative subdivision is required prior to submittal of second parcel map in compliance with ordinance 1987-25.]~~ **The parcels created by this parcel map shall not be subdivided by parcel map prior to 1 year after the date of recordation of the parcel map. Any subsequent subdivision of the parcels created by this parcel map prior to 1 year after the date of recordation of the parcel map shall require approval of a tentative map.** *[Staff note: The revised verbiage complies with ordinance 1987-25 and current CCMC 17.03.050 regarding subsequent parcel maps.]*

(c) ~~[After]~~ **If map corrections are necessary after** the second ~~[final]~~ redline review by staff, the ~~[city will]~~ **City may** hire a private surveying firm to review the corrected map and note corrections for staff. The applicant will be responsible for the consulting surveying firm's review fees.

(d) The existing assessor's parcel number is a required notation on the treasurer's certificate.

(e) ~~[A disk]~~ **An electronic copy of the map** and proof of taxes being paid in full for the fiscal year ~~[will be required]~~ **must be submitted to the planning division** prior to recordation **of the map.**

(f) The zoning designation and master plan designation ~~[are required notations]~~ **must be noted** on the map.

(g) The adjacent assessor's parcel numbers and property ownership ~~[are required notations]~~ **must be noted** on the map.

8. Historic Resources Commission.

(a) All development shall be substantially in accordance with the ~~[attached site development plan]~~ **plans approved with the application, as modified by any conditions of approval.**

(b) All on and off-site improvements shall conform to city standards and requirements.

(c) The use for which this permit is approved shall ~~[commence within 12 months of]~~ **be initiated not more than 12 months after** the date of final approval. A **request for a** single, ~~[4-year]~~ **1-year** extension of time ~~[must]~~ **may be requested and granted by the Director provided that the request is submitted** in writing to the ~~[planning and community development department]~~ **planning division not less than** 30 days prior to the ~~[4-year]~~ **1-year** expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision within ~~[10]~~ **21 working** days of receipt of notification. If the notice of decision is not signed and returned within ~~[10]~~ **21 working** days, then the item ~~[will]~~ **may** be rescheduled for the next ~~[historic resources commission]~~ **Historic Resource Commission** meeting for further ~~[considerations]~~ **consideration**.

~~[(c) All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.]~~

9. Abandonment of Public Right-of-Way.

(a) Prior to the recordation of ~~[said]~~ **the right-of-way** abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search ~~[material if required by the planning and community development department]~~ **materials** in order to fully complete the abandonment process.

(b) The applicant must sign and return the notice of decision for conditions of approval ~~[within 10 days of receipt of notification]~~ **not more than 21 working days after receipt of the notice of decision**. If the notice of decision is not signed and returned within ~~[10]~~ **21 working** days, ~~[then]~~ the item ~~[will]~~ **may** be rescheduled for the next ~~[planning commission]~~ **Board** meeting for further **consideration** ~~[considerations (this notice of decision will be mailed to you for your signature after approval by the board of supervisors)]~~.

~~[(c) All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.]~~

~~[10. Downtown Design Review.~~

~~———— (a) All development shall be substantially in accordance with the attached site development plan.~~

~~———— (b) All on and off site improvements shall conform to city standards and requirements.~~

~~———— (c) The use for which this permit is approved shall commence within 12 months of the date of final approval. An extension of time must be requested in writing to the planning and community development department 30 days prior to the 1 year expiration date. Should this request not be initiated within 1 year and no extension granted, the request shall become null and void.~~

~~———— (d) The applicant must sign and return the notice of decision within 10 days of receipt of notification. If the notice of decision is not signed and returned within 10 days, then the item will be rescheduled for the next downtown design review for further considerations.~~

~~———— (e) All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.] [Staff note: Downtown design review is an outdated process, replaced by the Downtown Mixed-Use development standards.]~~

(Ord. 2001-23 § 2 (part), 2001).

**18.02.110 - Administrative ~~[permits]~~ Permit.**

**1. Authority. A hearing examiner shall have the discretionary authority to approve, conditionally approve, or deny an Administrative Permit.**

~~[1.]~~ **2.** Purpose. The purpose of ~~[administrative permits]~~ **Administrative Permits** is to provide for the method of reviewing proposed uses which possess characteristics that have the potential to adversely affect other land uses, transportation or facilities in the vicinity. The hearing examiner may require conditions of approval necessary to eliminate or reduce any adverse effects of a use.

~~[2.]~~ **3.** Applicability. This chapter establishes a process that authorizes the hearing examiner to review and render final decisions on zoning matters and development proposals identified within ~~[this chapter]~~ **title 18** as requiring an ~~[administrative permit pursuant to the provisions of CCMC 18.02.052 (Hearing Examiners)]~~ **Administrative Permit**.

~~[3. Permit Required. An administrative permit shall be required in the following cases:~~

~~———— (a) A proposed accessory structure [pursuant to Title 18 (General Provisions) with a total size that is more than 50 percent and up to 75 percent of the size of the primary structure.~~

~~———— (b) All non exempt antennas, satellite dishes and wireless telecommunication facilities identified in CCMC 18.15 (Communication Facilities and Equipment) as requiring an administrative permit.~~

~~\_\_\_\_\_ (c) Restaurant or bank drive thru windows which face a street or frontage of a parcel.] [Staff note: The types of development for which an Administrative Permit is required is identified in the applicable section of title 18 relating to that development type, as noted in paragraph 2. This is not the appropriate location in the code to identify all the development types that require this particular permit.]~~

4. Process.

~~[Applications for administrative permits may be initiated by the property owner or the property owner's authorized agent. Applications shall be filed with the director. A request for an administrative permit shall include a site plan which clearly delineates the location and characteristics of the proposed use. No administrative permit shall be processed until the information necessary to review and decide the proposed [administrative permit] is deemed complete by the director. Noticing requirements shall be consistent with Title 18 (Notice of Commission Hearings).~~

~~\_\_\_\_\_ This title delegates certain authority for making decisions relating to various development applications, uses and similar approvals to the hearing examiner. The hearing examiner shall review all complete applications, make necessary findings and render a decision on the application.]~~

**(a) Any person requesting an Administrative Permit shall file a complete application with the planning division. The application shall include the information, site plans and other materials determined by the Director to be necessary to support the requirements of this section.**

**(b) Except as otherwise provided in this section, all procedural requirements, including those related to noticing of the administrative hearing, time periods for action, findings and all post-decision provisions, shall be made in the same manner as prescribed for a Special Use Permit in accordance with CCMC 18.02.080.**

~~\_\_\_\_\_ (c) The [director] **Director** or hearing examiner may refer the application to the [planning commission] **Commission** for its review and decision [prior to rendering a decision on the application].~~

5. Findings. In approving an administrative permit, the hearing examiner shall make the findings as required ~~[by Section 18.02.080 (special use permit)]~~ **for a Special Use Permit in CCMC 18.02.080.**

6. Notification and Appeal of Decision ~~[by Hearing Examiner]~~. The hearing examiner shall notify the applicant ~~[within ten days]~~ **not more than 10 days after the date** of the decision. The decision of the hearing examiner may be appealed to the ~~[commission]~~ **Commission** by the applicant or any aggrieved party pursuant to ~~[Title 18]~~ **CCMC 18.02.060** (Appeals).

(Ord. 2007-9 § 3, 2007: Ord. 2006-13 § 1, 2006: Ord. 2004-13 § 20, 2004: Ord. 2001-23 § 2 (part), 2001).

**18.02.115 - Temporary ~~[use permits]~~ Use Permit.**

1. Purpose. This ~~[Section]~~ **section** provides for the temporary permitted uses of ~~[short term]~~ **short-term** commercial activities that may not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature.

(a) Carson City has an economy that is partly dependent on tourism and retail sales, and is therefore, partly dependent on its appearance. Outside sales, display preparation service and storage can adversely affect the appearance and public image of Carson City. It is within the public interest and contributes to the general welfare to project an attractive community image and to promote retail sales.

(b) Outside sales, activities and uses are generally prohibited by the provisions of ~~[the Carson City Municipal Code, Title 18, zoning districts]~~ **title 18**. Except as specifically provided otherwise by ~~[the Carson City Municipal Code]~~ **CCMC**, all **temporary** outside sales, storage and displays shall be conducted entirely in accordance with ~~[these]~~ **the provisions of this section.**

**2. Authority. The Director shall have the discretionary authority to approve, conditionally approve or deny a Temporary Use Permit application.**

~~[2-]~~ **3.** Applicability. This Chapter establishes a process for the Director's review of a proposed temporary use to ensure basic health, safety and community welfare standards are met, and only suitable temporary uses with the minimum necessary conditions or limitations consistent with the temporary nature of the use ~~[are]~~ **may be** approved.

~~[3-]~~ **4.** Process. ~~[Applications for any permits]~~ **An application for a Temporary Use Permit** to establish ~~[temporary uses]~~ **a temporary use**, as described in this ~~[Chapter]~~ **section**, must be filed with the

~~[Planning and Community Development]~~ Department in a manner prescribed by the Director, along with the required fee. ~~[A fee sheet can be obtained at the Planning and Community Development Department.]~~

~~[4.]~~ **5.** Findings ~~[and Decisions]~~. The Director may approve or conditionally approve a Temporary Use Permit application if the following findings can be made~~[-The Director may instead refer any Temporary Use Permit application to the Commission for review and decision.]~~ :

(a) Adequate parking ~~[would]~~ **will** be provided in areas not located within the public right-of-way ~~[or affecting an existing parking area so as to interfere with more than one percent of on-site parking, established disabled accessible parking, or with vehicular or pedestrian circulation]~~, **and adequate parking and pedestrian circulation remains available for any existing uses on the site being used by the temporary use;**

(b) The proposed temporary use is in compliance with all applicable City, State and Federal laws~~[-]~~ ;

(c) The Fire Chief has determined that the proposed use would not create a fire safety hazard;

(d) The subject property is located within a commercial, industrial, or public use zoning district;

(e) If the use is occurring on City owned property, permission from the City Manager or their designee has been obtained;

(f) Operation of the use would not create adverse traffic safety impacts nor result in detrimental impacts upon the neighborhood in which it is to be located;

(g) The establishment, maintenance, or operation of the temporary use would not be detrimental to the public health, safety or welfare of person residing or working in the neighborhood of the proposed use; and

(h) Approved measure for removal of the use and site restoration have been required to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by ~~[the Development Code]~~ **title 18.**

~~[(i) A Temporary Use Permit shall be valid for a specified period of time, not to exceed 30 consecutive days per year.]~~ *[Staff note: See time limits, below. This is not a finding.]*

5. Conditions of Approval. In approving a Temporary Use Permit, the Director may impose any conditions deemed reasonable and necessary to ensure that the approval will be in compliance with the ~~[findings required by Subsection 4 of this Chapter]~~ **required findings**. Standards for floor areas, heights, landscaping areas, off-street parking, setbacks and other structure and property development standards that apply to the category of use or the zoning district of the subject site shall be used as a guide for determining the appropriate development conditions ~~[standards]~~ for the temporary use. However, the Director may grant an adjustment from the specific requirements as deemed necessary or appropriate. Standard ~~[Conditions of Approval]~~ **conditions of approval** are found in ~~[Section]~~ **CCMC 18.02.105.**

6. Post Approval Procedures. The following procedures shall apply following the approval of a Temporary Use Permit:

(a) Conditions of Site Following Temporary Use. Each site occupied by a temporary use shall be cleaned of debris, litter or any other evidence of the temporary use upon completion or removal of the use, and shall thereafter be used in compliance with the provisions of this ~~[Development Code]~~ **title**. The Director may require a cash surety as a condition of approval to ensure the site restoration and adequate cleanup after the use is finished; and

(b) Revocation **or Modification.** ~~[The]~~ **If necessary to ensure continued compliance with the required findings, the** Director may revoke or modify a Temporary Use Permit ~~[with only a]~~ **if done with not less than** 24-hour notice **to the applicant.**

7. Appeals. Appeals of the Director's decision to deny a Temporary Use Permit shall be taken to the Commission in accordance with the appeal procedures of ~~[Title 18 (Appeals)]~~ **CCMC 18.02.060.**

8. Outdoor Sales and Activities

(a) Outdoor sales and activities ~~[in Title 18 (Definitions)]~~ shall be permitted within the Retail Commercial, General Commercial and Industrial zoning districts, subject to the approval of the Director.

(b) Outside sales and activities must be designed to primarily promote an existing, permanently licensed primary business activity in Carson City.

(c) Promotional sales and activities or display of items not customarily related to the ~~[year-round]~~ **year-round** primary business activity on a site, or the primary inventory carried by the retail outlet, may be permitted upon review and approval of the Director on a case specific basis.

(d) Any permit approved **for outdoor sales and activities** in accordance with this ~~[Section]~~ **section** shall include the following conditions of approval:

(1) The applicant shall observe strict compliance with the approved plot plan ~~[or as amended by the requirements of the Director]~~.

(2) The applicant shall comply with all city requirements ~~[In particular]~~, **including** the requirements of the Carson City fire department and health **department** ~~[departments, which may not be available until the issuance of a business license]~~.

(3) A written schedule ~~[will]~~ **shall** be submitted to the Director, providing the number of days per month that temporary outdoor sales and displays ~~[are anticipated to]~~ **will** be conducted. ~~[In addition, the]~~ **The** Director ~~[will]~~ **must** be notified~~[;]~~ **by the applicant** in writing~~[;]~~ when display or sale of merchandise is about to begin.

9. Required Information and Plans. **A Temporary Use Permit application for the review of a temporary outdoor sales and activity event shall contain:**

(a) A ~~[Temporary Use Permit application for the review of a temporary outdoor sales and activity event shall contain a]~~ concise statement describing the proposed event, including the purpose, type of merchandise involved, dates and times of operation, number of employees involved, provisions for on-site security, provisions for on-site parking and other pertinent information required by the Director to fully evaluate the application.

(b) An accurate plot plan for the property which represents existing conditions on the site, including entrances and exits, parking and driving areas, and an accurate representation of any proposed temporary structures, including tents, stands, traffic barriers, fences, stands, screening devices and signs.

(c) An accurate floor plan, when, in the judgment of the Director, such a plan is necessary to properly evaluate the location of the event and the effectiveness of building entrances and exits.

10. Standards. These standards are to be considered as minimums. Based on the specific particulars of a case the Director may utilize a different standard than the ~~[one (1)]~~ **standard** recommended by this ~~[ordinance]~~ **section**.

(a) Time limits, ~~[when considering a permit the Director must specify]~~ **The following time limits shall be specified for each Temporary Use Permit:**

(1) The period for which the Temporary Use Permit ~~[is in force, a two-year period is recommended]~~ **is valid, which may be for no more than 2 years.**

(2) The number of days per year **that the temporary use may be conducted, which may be** no more than ~~[one hundred twenty (120)]~~ **120 days per year.**

(3) The number of consecutive days ~~[a specific event shall last; a three-day period is recommended]~~ **the temporary use may be conducted, which may be no more than 30 consecutive days.** *[Staff note: See previous 18.02.115(4)(i), which allowed 30 consecutive days.]*

(4) The daily hours of operation.

(b) Display area shall be limited **to that approved** by the Temporary Use Permit. ~~[Up to five percent of the gross floor area of the buildings occupying the site is recommended.]~~ *[Staff note: If other standards are met, a maximum area for the temporary use is not necessary. Also, the current standard is not absolute.]*

(c) Site conditions. ~~[Sales activities may be conducted in a paved area]~~ when the activity does not interfere with the safe parking, traffic circulation or emergency vehicle access.

(d) Tents, stands and other similar temporary structures and temporary vehicles and mobile equipment may be utilized, provided they ~~[were]~~ **are** clearly identified on the submitted plan and provided it is determined by the Director that they will not impair the parking capacity, emergency access, or safe and efficient movement of pedestrian and vehicular traffic on or off site.

(e) The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed event can and will be provided during the event. Consideration must be given to the parking needs and requirements of permanent occupants **of the site**.

(f) There shall be a consideration of the need for the provision of temporary sanitary conveniences<sup>[7]</sup> when permanent sanitary facilities are not readily available at the site.

(g) The height of the stacks of merchandise shall be specified in the Temporary Use Permit. A maximum ~~[six-foot]~~ height **of 6 feet** is recommended.

(h) The use of temporary signage shall comply with the ~~[requirements of Division 4, Signs, of the Carson City Development Standards]~~ **sign requirements of Division 4 (Signs) of title 18 Appendix A, CCMC 18.16 (Development Standards)**.

(i) All facilities for the preparation or dispensing food shall be approved by the City health ~~[officials]~~ **department**.

(j) The use of animals in any event shall comply with the regulations of the **City** health ~~[official]~~ **department** and animal control ~~[officer for Carson City]~~ **department**.

(k) The site layout and use of temporary appurtenances shall be approved for use by the fire ~~[marshal]~~ **department**.

(l) During and immediately after an outdoor activity takes place, the applicant shall keep the area clean from litter and debris arising from the operation.

#### 11. Permit Revocation.

(a) The Director may immediately revoke or suspend the permit, or deny either the issuance or renewal thereof, if it is found **that**:

(1) The applicant or permittee has violated or failed to meet any of the provisions of this ~~[Chapter]~~ **section** or conditions of the permit;

(2) The operation is detrimental to the surrounding businesses or to the public due to either appearance or conditions of safety;

(3) Any required licenses have been suspended, revoked, or canceled; **or**

(4) The scheduled hours of operation are not followed.

(b) Upon suspension or revocation, the Director shall notify in writing<sup>[7]</sup> the applicant or permittee of the action that has been taken and the reasons for it.

(c) Violation of an issued permit or of the provisions of this ~~[Section]~~ **section** also may be grounds for denial of future permit applications.

(Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2008-33, § I, 9-4-2008](#) )

#### 18.02.120 - Moratorium.

The ~~[board]~~ **Board** may declare a moratorium on the acceptance and processing of planning applications<sup>[7]</sup> or permits for a specific type of application or a specific geographical area and for a specified length of time for the purposes of preparing ~~[city]~~ applications **to the City**.

1. Initiation. Only the ~~[board]~~ **Board** through resolution may initiate the process for declaring a moratorium ~~[for this purpose]~~. The ~~[commission]~~ **Commission** may recommend a resolution to initiate the process for declaring a moratorium to the ~~[board]~~ **Board**.

2. Commission Hearing. Should the ~~[board]~~ **Board** initiate the process to declare a moratorium, ~~[prior to taking final action they]~~ **the Board** shall first refer the matter to the Commission for a recommendation **regarding the moratorium**. The ~~[commission]~~ **Commission** shall then conduct a public hearing ~~[within forty five (45) days from]~~ **not more than 45 days after** the date of referral by the ~~[board]~~ **Board**.

3. Notice of Commission Hearing. Notice of the date, time and place of the public hearing shall be published in a newspaper of general circulation in Carson City not less than ~~[ten (10)]~~ **10** days prior to the date of the public hearing to be conducted by the ~~[commission]~~ **Commission**. ~~[Such]~~ **The** notice shall describe why the moratorium is being proposed, what the proposed moratorium shall affect, the area that is affected by the moratorium, the anticipated length of time of the moratorium, and other pertinent information in such a manner that the moratorium and its effects can be clearly identified.

4. Commission Recommendation. After completion of the public hearing by the ~~[commission]~~ **Commission**, it may recommend that the ~~[board]~~ **Board** approve a moratorium, modify the extent and area of moratorium, or that the moratorium not be imposed. A recommendation to declare a moratorium shall require a two-thirds ~~[-2/3-]~~ **majority** vote of the total membership of the ~~[commission]~~ **Commission**.

5. Findings. When making its recommendation for approval or modification, the ~~[commission]~~ **Commission**, shall, at a minimum, make the following findings of fact:

(a) The moratorium is necessary to promote the health, safety and welfare of the area described in the moratorium declaration;

(b) The moratorium is necessary to permit the staff, ~~[commission, board]~~ **the Commission, the Board** and **the** public to focus on the efficient and effective preparation of an amendment to the ~~[master plan]~~ **Master Plan or CCMC**; and

(c) The moratorium is necessary because continued development during the proposed moratorium period possibly would result in development that may conflict with the ~~[plan amendment]~~ **Master Plan or Zoning Code Amendment**.

6. Commission Report. ~~[Within forty five (45) days of]~~ **Not more than 45 days after** the action by the ~~[commission]~~ **Commission**, a report describing the proposed moratorium, discussion at the public hearing, and the action and vote by the ~~[commission]~~ **Commission** shall be transmitted to the ~~[board]~~ **Board**. Failure to report within the time limit provided in this subsection or failure to schedule a hearing ~~[within forty five (45) days of]~~ **not more than 45 days after** the date of referral of the matter by the ~~[board]~~ **Board** to the ~~[commission]~~ **Commission** shall constitute a recommendation not to declare a moratorium.

7. Board Hearing. The ~~[director]~~ **Director** shall schedule a public hearing before the ~~[board]~~ **Board** ~~within thirty (30) days of receipt of the report describing the commission's action]~~ **Board not more than 30 days after date of the Commission's action**.

8. Notice of Board Hearing. Notice of the date, time and place of the public hearing shall be published in a newspaper of general circulation in Carson City not less than ~~[ten (10)]~~ **10** days prior to the public hearing date. ~~[Such]~~ **The** notice shall describe why the moratorium is being proposed, what the proposed moratorium shall affect, the area that is affected by the moratorium, the anticipated length of time of the moratorium, and other pertinent information in such a manner that the moratorium and its effects can be clearly identified.

9. Required Vote. After completion of the public hearing by the ~~[board]~~ **Board**, it may declare a moratorium by a simple majority vote of the ~~[board]~~ **Board** members in attendance.

10. Affirmation of Findings. In declaring a moratorium, the ~~[board]~~ **Board** shall, at a minimum, affirm the findings of fact contained in the ~~[commission's]~~ **Commission's** recommendation or ~~[-]~~ , if the ~~[commission]~~ **Commission** did not make these findings, shall ~~[-, at a minimum,]~~ make the findings of fact in subsection 5 of this section.

11. Period in Effect. A moratorium declared by the ~~[board]~~ **Board** shall be in effect for a period of ~~[no less than ninety (90) day and no more than one hundred eighty (180) days from]~~ **not less than 90 days and not more than 180 days after** the date of effectuation. The ~~[board]~~ **Board** may only extend the moratorium for an additional ~~[sixty (60) day]~~ **60-day** period before holding another public hearing pursuant to the provisions of this section.  
(Ord. 2001-23 § 2 (part), 2001).

#### **18.02.130 - Reasonable accommodation.**

1. Notwithstanding any other provision of this title, Carson City shall at all times comply with the applicable requirements concerning the granting of reasonable accommodations as set forth in the Fair Housing Act of 1968, 42 U.S.C. §§ 3601 et seq., and any regulations adopted pursuant thereto.

2. A request for a reasonable accommodation made pursuant to subsection 1 must be submitted in writing to the ~~[director]~~ **Director** for approval or denial as an administrative decision, which may be appealed in accordance with CCMC 18.02.060. The ~~[director]~~ **Director**:

(a) Must issue his or her decision in writing; and



(b) May deny a request for a reasonable accommodation only if the denial does not constitute a violation of federal or state law or regulation.  
(Ord. 2017-29, 2017)

## Chapter 18.03 - DEFINITIONS

### Sections:

#### 18.03.005 - Definitions generally.

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.

(Ord. 2001-23 § 2 (part), 2001).

(Ord. No. [2017-21](#), § I, 10-5-2017)

#### 18.03.010 - Words and terms defined.

[Note: The purpose of proposed changes, deletions or additions of definitions are noted in bracketed text at the end of the definition, as applicable.]

~~["Abandoned" means concerning a building or use, not having been developed or maintained for a stated period of time.]~~ [See CCMC 18.04.030 Nonconforming Uses for applicable regulations.]

~~["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.]~~ [Term not used.]

~~["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.]~~ [Too narrowly defined; defined in Development Standards.]

"Accessory [~~building~~ or "accessory] structure" means a [~~detached usual and customary~~] building or structure associated with [~~a permitted or conditional use,~~] **and** 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~~] **structure** connected to a main building by a roof, breezeway or other **architectural** means [~~which is not habitable space~~] is considered an **attached** 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.]~~ [See "farm structure."]

"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 **is established on the same property on which the accessory use will occur.**

"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.] [Duplicate; see above.]~~

"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.] [Stated in 18.04.150 GI uses.]~~

"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. ["Veterinary clinic" called out separately as a use.]

"Agricultural uses" means **the raising, cultivation, drying, or storage of agricultural products for sale, or the storage of machinery or equipment used in support of agricultural production by the same agricultural production entity.** ~~[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.] [Chapter 7 applies to non-agricultural animal keeping; and "winery" is listed as a separate use.]~~

~~["Air rights" means the right to use space above ground level.] [Term not used.]~~

"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.] [Term not used.]~~

"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]~~ **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. ["Kennel" has its own definition.]

"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.] [Term not used.]~~

"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]~~ **28 days**. [Changed for consistency with "transient occupancy" definition for hotels and motels.]

~~["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.] [Term not used; see "dwelling, multi-family."]~~

~~["Appliances" means devises operated by electricity and designed for household use.] [See "retail."]~~

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

"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.] [Term not used; use common definition.]~~

"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.] [See "retail sales."]~~

~~["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.] [See "personal services."]~~

~~["Artist, commercial" means a creator of artistic works for monetary gain.] [See "personal services."]~~

"Asphalt~~[" or "concrete batch]~~ plant" means a facility or area for the ~~[mixing of concrete or]~~ **manufacturing of** asphalt. [Also see separate definition for "concrete plant."]

~~["Assayer" means one who practices the examination and/or the analysis of something.] [See "personal services."]~~

~~["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.] [See "personal services."]~~

"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.] [Term not used; see "automobile service."]~~

"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.] [Term not used; see "automobile body repair, painting, towing service garage."]~~

~~["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.] [Moved to "parking lot or parking garage" as used in 18.04.]~~

~~["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.] [Term not used.]~~

"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.] [Term not used; see "automobile retail.]~~

"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 **for washing vehicles**, [typically operated in conjunction with a gas station, which customarily employs automatic or semi automatic methods of cleaning.] **which may employ automatic or semi-automatic methods of cleaning, coin-operated washing devices, or other methods of cleaning vehicles.**

~~["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.] [Provisions for screening of outside storage are contained in Development Standards Division 1.]~~

"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.] [See "retail sales."]~~

~~["Ballroom" means a large room for dancing.] [See "convention facility."]~~

"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]~~ **residence**, 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. [Bed and breakfast parking requirements contained in Development Standards 1.7.]

"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.] [See "bar."]~~

~~["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.] [See "personal services."]~~

"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.] [Not used; see "recreational vehicle sales."]~~

~~["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.] [Term not used.]~~

~~["Body piercing" means the practice of piercing holes in parts of the body so that rings and or studs can be inserted.] [See "personal services."]~~

~~["Bonding company" means a company that provides bonding and surety for another.] [Term not used.]~~

~~["Bookbindery" means an establishment that provides the art, trade, or profession of binding books.] [See "personal services."]~~

~~["Bookstore" means a store where books are sold.] [See "retail sales."]~~

~~["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.] [See "retail sales."]~~

~~["Bowling alley" means a smooth, level wooden alley used for bowling.] [See "Indoor recreation facility."]~~

"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.]~~ [Amended to allow brew pubs without restaurants in zoning districts where "bars" are allowed.]

~~["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.] [Term not used.]~~

"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]~~ patio covers. 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.] [Term not used; see "building materials and lumber yard."]~~

~~["Building line" means that face, corner, wall or column of structure or building nearest the property line.] [Term not used.]~~

~~["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.] [Term not used.]~~



"Building materials" means substances used in construction including lumber, 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~~] residence, 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~~] a property line and [~~the building line of a~~] the nearest point of a building or 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.] [Term not used.]~~

~~["Bus charter service and service facility" means any premises for the transient housing, parking, servicing or repair of motor driven buses.] [Term not used; see "bus line office, service and storage" below.]~~

"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.] [See "restaurant."]~~

"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" and "recreational vehicle space." [-]

"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.] [See "structure;" "carport" not used.]~~

"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.] [Term not used; see "wireless communication facility."]~~

"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."] [See definition in Development Standards Division 4, Signs.]~~

"Child care facility" **or "adult care facility"** means any place, home, institution, or establishment in which more than six (6) children **or adults** 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.] [See "retail sales."]~~

"Church~~, temple, house of worship~~" means any building used for religious worship services, religious education and fellowship activities and programs of [a] **any** 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. [As used in 18.04.]

"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.] [Term not used.]~~

"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.] [Term not used.]~~

"Club, ~~[supper and amusement]~~ **service** **or "service club"** 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.] [See "restaurant."]~~

~~["Cold storage plant" means a facility for the protective storage of items such as food or furs, in a refrigerated place.] [Term not used.]~~

"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"]~~ **Collectables 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.] [Term not used.]~~

"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.] [See "indoor sports and recreation facility."]~~

~~["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] **batting** cages, practical/instructional fields, driving ranges and sports events, such as stadiums or arenas.] [See "outdoor recreation facility."]~~

"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.] [Term not used; see "kennel."]~~

"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.] [See "open space, common."]~~

"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.] [Term not used.]~~

"Community clubhouse" means a community building or portion thereof, used by ~~[a club]~~ **an organization of property owners.**

"Community ~~[institutional]~~ **institution** (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, **facilities providing social services directly to the community, such as food banks, blood banks, emergency shelters, crisis centers,** 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.] [Term not used.]~~

"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 **manufacturing and** production of concrete or concrete products, used in building or construction, and ~~[includes]~~ **may include** 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.

**"Conditional use" means a use that requires approval of a Special Use Permit prior to commencing the use, and 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.**

"Condominium" means a multifamily ~~[dwelling]~~ **residence** 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]~~ **residence** 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.] [Term not used; see "secondhand business" and "secondhand dealer."]~~

"Construction" means any grading of land, installation of improvements, erection ~~[or placement]~~, **placement or demolition** 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.] [Term not used; see "commercial coach."]~~

~~["Construction material supply yard" means a facility for the storage of construction materials for a specific development.] [Term not used.]~~

"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.] [Term not used.]~~

~~["Cultural resource" means archeological sites, objects, grounds, gardens, landscapes, structures and buildings.] [Duplicate definition and out of alphabetical order.]~~

~~["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.] [See "retail sales." Gas sales a separate use.]~~

"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.] [See "personal services."]~~

~~["Corral" means an unroofed enclosure used only for confining livestock.] [Not used.]~~

"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.] [See "warehouse/distribution center."]~~

"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.] [Term not used.]~~

~~["Dairy" means commercial establishments that processor sell milk and milk products.] [Term not used.]~~

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

~~["Delicatessen" means a shop that sells cooked or prepared foods ready for serving.] [See "restaurant."]~~

~~["Delivery" service]~~ **"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. [Density in Title 18 only refers to units per acre.]

"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] not limited to, men's and woman's clothing and home furnishings.] [See "retail sales."]~~

"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"]~~ **"Development project," for the purposes of the Growth Management provisions of title 18,** 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]~~ **their** designee.

~~["Downtown area" means that area between Washington Street and Fifth Street and between Nevada and Stewart Streets.] [Change references in Development Standards Divisions 1.1 and 2.4 from "downtown area" to "Downtown Mixed-Use district."]~~

~~["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.] [Outdated term, no longer exists.]~~

"Driveway ~~[/]~~ lot" means a lot with a driveway located along the common property line of ~~[2]~~ **two** 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.] [See "pharmacy" and "retail sales"]~~

~~["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.] [See "personal services."]~~

~~["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.] [Changed to "residence, attached."]~~

~~["Dwelling, manufactured" means a single family dwelling manufactured off site.] [Term not used.]~~

~~["Dwelling, multiple family" means a building designed and/or used to house 3 or more families, living independently of each other.] [Changing term to "residence, multi-family" in 18.04; see definition for "residence, multi-family."]~~

~~["Dwelling, patio home" means a single family detached dwelling, with open space setbacks on 3 sides and with a court.] [Term not used.]~~

~~["Dwelling, single family" or "single family dwelling" means:~~

~~1. — 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.~~

~~2. — A residential facility for groups in which 10 or fewer unrelated persons with disabilities reside with:~~

~~a. — House parents or guardians who need not be related to any of the persons with disabilities; and~~

~~b. — If applicable, additional persons who are related to the house parents or guardians within the third degree of consanguinity or affinity.~~

~~3. — A home for individual residential care.~~

~~4. — A halfway house for recovering alcohol and drug abusers in which fewer than 11 persons reside.~~

~~5. — Factory built housing that has been built in compliance with the standards for single-family residential dwellings of the Uniform Building Code most recently adopted by the International Conference of Building Officials.~~

~~6. A manufactured home.]~~

~~[Changing term to "residence, single-family" in 18.04; see definition for "residence, single-family."]~~

~~["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.] [Moved to “townhouse,” as used in Title 18]~~

~~["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.] [Changing term to “residence, two-family” in 18.04; see definition for “residence, two-family.”]~~

~~["Excavation" means the mechanical removal of earth materials.] [Relocated alphabetically.]~~

~~["Embroidery shop" means an establishment in which the act or art of ornamentation of fabric with needlework is practiced.] [See “retail sales.”]~~

~~["Employment agency" means an agency whose business is to find jobs for people and find people qualified to fill jobs.] [See “office.”]~~

"Engraver" means one ~~[whom]~~ **who** practices the art or technique of ~~[one that engraves from a plate or block.]~~ **cutting or carving a design on a hard surface, typically to make a print for items such as trophies, jewelry, plates or other items. This definition excludes industrial processes such as sandblasting or chemical etching of materials.** [Definition modified to match prior verbiage of “engraver” in Chapter 18.04.]

"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.]~~  
~~["Excavation" means the mechanical removal of earth materials.] [Term not used.]~~

"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.

**“Esthetician” means a person engaged in the practice of esthetics, which includes:**

**1. Beautifying, massaging, cleansing or stimulating the skin of the human body by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, or any device, electrical or otherwise, for the care of the skin;**

**2. Applying cosmetics or eyelashes to any person, applying permanent makeup, tinting eyelashes and eyebrows, and lightening hair on the body; and**



**3. Removing superfluous hair from the body of any person by the use of depilatories, waxing, tweezers or sugaring,**

**but does not include the branches of cosmetology of a cosmetologist, hair designer, shampoo technologist, hair braider, electrologist or nail technologist.** [Definition separated from “massage therapy” definition.]

~~["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.

**"Excavation" means the mechanical removal of earth materials.** [Relocated alphabetically.]

"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. **This definition does** [Does] not include implanting of images of flowers, insects, geometric designs or any other "picture" that would not normally appear on the face.] [Moved to “permanent makeup” for definition related to the term “esthetician.”]~~

"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" has the meaning ascribed to it in NRS 461.080 and 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 does not include a mobile home or recreational park trailer.] [Term not used.]~~

~~["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.] [See “retail sales.”]~~

"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.] [Term not used.]~~

"Family" means 1 person living alone, or 2 or more persons related by blood, marriage or legal adoption; **a group of unrelated individuals not exceeding four persons living together as a single housekeeping unit, except where federal and/or state law requires otherwise.**

**"Farm structure" 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.**

"Farmer's market" means an indoor or outdoor commercial area providing retail sales booths for numerous merchants of produce, **meats** 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.] [Term not used.]~~

"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]~~ **onto** a parcel of land to ~~[create volume on the parcel]~~ **raise the elevation of any portion of the property.**

"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.] [See "retail sales."]~~

"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.] [Term not used.]~~

"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 interment or cremation.

~~["Gallery" means a building or hall in which a collection of artistic works is displayed sold or auctioned.] [Only used in DTMU; change to "art gallery" in DTMU.]~~

"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" or "gaming, unlimited" 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. [As used in 18.04.]

"Gaming, limited" means 15 or less gaming machines in [~~1~~] one 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.] [See "retail sales."]~~

~~["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.] [Term not used.]~~

~~["Gasoline, retail" means the sale of natural gas, manufactured gas, propane gas or any mixture of any of them.] [Term not used; see "automobile service."]~~

"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.] [See "retail sales."]~~

~~["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.] [Duplicated below.]~~

"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, **driving range** 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.] [Term not used.]~~

"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.] [Not used; add "legal-nonconforming use" definition.]~~

~~["Green house"]~~ **"Greenhouse"** 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.] [See "retail sales."]~~

"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.] [Term not used.]~~

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

"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.

"Halfway house for recovering alcohol and drug abusers" has the meaning ascribed to it in NRS 449.008 and means a residence that provides housing and a living environment for recovering 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. The term does not include a facility for transitional living for released offenders.

"Hard surfaced" means, **at a minimum**, 6 inches of decomposed granite or gravel graded and compacted to standards of the development engineering department, **or asphalt, concrete or other solid surface to accommodate vehicular traffic in accordance with the Title 18 Development Standards.**

~~["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.] [See "retail sales."]~~

"Hazardous waste or material" means a waste or material as defined by ~~[Section 12 of the Carson City environmental control authority ordinance]~~ **CCMC chapter 12.12 (Solid Waste Management).**

"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.] [Term not used.]~~

"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.] [The hillside development standards are contained in the Development Standards Division 7.]~~

"Home for individual residential care" has the meaning ascribed to it in NRS 449.0105 and means a home in which a natural person furnishes food, shelter, assistance and limited supervision, for compensation, to not more than two persons with intellectual disabilities or with physical disabilities or who are aged or infirm, 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:

1. A halfway house for recovering alcohol and drug abusers; or
2. A home in which community-based living arrangement services or supported living services are provided by a provider of such services during any period in which the provider is engaged in providing the services.

~~["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.] [Term not used.]~~

"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" not used; see "stable."]~~

~~["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.] [Horse corral not used; see "stable."]~~

~~["Hospice" means a home for the terminally ill.] [Term not used.]~~

"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 **or motel**, 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.] [See "retail sales."]~~

"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.] [Term not used.]~~

**"Initiate," for the purposes of maintaining a valid zoning permit, means:**

**1. If construction is required for the proposed use, to apply for and obtain approval of a building permit for the entire project or the first phase of a project for which the permit is sought, and to maintain the building permit in good standing without expiration. Approval of a grading permit only for the project does not constitute initiation of a project; and**

**2. To conduct the use on the subject property; and**

**3. If applicable, to obtain a business license for the proposed use.**

~~["Interior decorator" means a person who practices or specializes in interior decoration.] [See "personal services."]~~

"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.] [See "retail sales."]~~

"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.] [Term not used.]~~

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

~~["Lapidary services" means a service provided by a dealer who specializes in precious or semiprecious stones.] [See "personal services."]~~

"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.

**"Legal nonconforming building" means a structure that was legally established under the Carson City zoning and building codes in existence at the time of construction of the structure but is not in conformance with current zoning regulations.** [As used in 18.04; added in place of "grandfathered."]

**"Legal nonconforming use" means a use that was legally established under the Carson City zoning code in existence at the time of the establishment of the use but is not in conformance with current zoning regulations.** [As used in 18.04.]

"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.] [See "personal services."]~~

"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.] [See "personal services."]~~

~~["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.] [Term not used; see "fraternal association."]~~

"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.] [See "retail sales."]~~

"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.] [Term not used.]~~

"Manufactured home" has the meaning ascribed to it in NRS 489.113 and means a structure which is built on a permanent chassis, designed to be used with or without a permanent foundation as a dwelling when connected to utilities, transportable in one or more sections and eight 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. The term:

1. Includes:
  - a. The plumbing, heating, air-conditioning and electrical systems of the structure.



b. Any structure:

i) Which meets the requirements established by NRS 489.113 and with respect to which the manufacturer voluntarily files 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

ii) Built in compliance with the requirements of chapter 461 of NRS.

2. Does not include a recreational park trailer.

"Manufacturing" means the use of land, building or structures for the purpose of manufacturing, assembly, **investment casting**, 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 in 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. [New definition and use separated for "esthetician."]

**"Master plan," unless otherwise specified, means the most recently adopted Carson City Master Plan providing goals and policies for the long-range development of the City, and including related plans or master plan elements that may be adopted separately from the Master Plan in accordance with NRS Chapter 278.**

"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] two or more lanes of travel in opposite directions.

"Medical marijuana cultivation facility" has the meaning ascribed to the term "cultivation facility" in NRS 453A.056 and means a business that:

1. Is registered with the Department of Taxation 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" has the meaning ascribed to it in NRS 453A.115 and means a business that:

1. Is registered with the Department of Taxation 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 :

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 product manufacturing facility" 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 Department of Taxation 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" 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.] [Term not used.]~~

~~["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.] [See "storage container."]~~

"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 non-motive 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.] [Term not used.]~~

~~["Modular component" means any closed unit of construction which bears or requires any electrical, plumbing, heating, air conditioning or any other mechanical connection.] [Term not used.]~~

"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, **maintenance** and storing of vehicles owned by ~~[the general public]~~ **a government agency**. [See "Parking lot or parking garage," for general public parking use.]

"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 **complied with regulations in place at the time the use was initiated but** does not conform to the **current zoning** regulations of the district in which the use exists. ~~[and a use for which the property owner has proved that alleged violations are legal noneonformities. 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.] [Term not used.]~~

~~["Nontoxic definition" is as defined by the Carson City health department and Uniform Fire Code currently adopted by Carson City and regulations.] [Term not used.]~~

"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 ~~[+]~~ one 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.] [Duplicate, combined below.]~~

"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, **and which may include ancillary services for office workers, such as food services, newsstands, or other minor commercial establishments.**

**"Office (limited contact with the general public)" has the same meaning as "office" but limited to businesses that do not require the public to go to the office location for the services provided by the business office.**

~~["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.] [Term not used.]~~

"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.] [Term not used.]~~

"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.] [See "personal services."]~~

"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. **Typical uses include archery range, driving ranges, miniature golf courses, swimming pools, tennis courts, outdoor racquetball courts and water parks.** [Combined from "outdoor sports and recreation facilities" definition.]

"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.] [Term not used; combined with "outdoor recreation facility."]~~

"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 **having a** maximum [MGVW] **gross vehicle weight** rating **of** 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.] [Term not used.]~~

"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"]~~ **"Pawn shop"** means a business in which money is loaned on the security of pledges, deposits or other secured transactions in personal property.

**"Permanent makeup" 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. This definition does not include "tattooing" or the implanting of images of flowers, insects, geometric designs or any other "picture" that would not typically appear on the face.** [Definition related to the term "esthetician."]

~~["Perfumery" means an establishment that specializes in making or selling of perfume.] [See "retail sales."]~~

~~["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.] [Term not used.]~~

"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.] [Term not used.]~~

"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) **or other services of a similar nature as determined by the Director.**

"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.] [See "personal services."]~~

"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.] [Term not used.]~~

**"Primary dwelling unit" means the main dwelling unit on a parcel of land.** [As used in 18.04.]

"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.] [See "primary dwelling unit.]~~

"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.] [Term not used.]~~

"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.] [Term not used.]~~

"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.] [See 18.04.175, Public Neighborhood zoning district for description and purpose.]~~

~~["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.] [Term not used; see "nursery."]~~

~~["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 notice requirements contained in CCMC 18.02 (Administration).]~~



~~["Public or private school" means an educational institution for kindergarten, elementary, or secondary education, which is supported by a public, religious, or private organization.] [Term not used; see "school."]~~

~~["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.] [Term not used; see "park."]~~

~~["Public regional" means federal, state and city facilities and uses whose main purpose is to sustain wide regional needs.] [See 18.04.185, Public Regional zoning district for description and purpose.]~~

"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~~ studio" 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.] [See "Wireless communication facility."]~~

~~["Ramada" means any roof or shade structure installed, erected or used above a recreational vehicle and vehicle space or any portion thereof.] [Term not used.]~~

"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.] [Term not used.]~~

"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. House trailer. A trailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place, and is equipped for use as a conveyance on a highway;**

~~[2]3. Motorhome. A portable, temporary dwelling to be used for travel, recreation ~~[and] or~~ vacation use, which is constructed [as] to be an integral part of a ~~[self propelled]~~ self-propelled vehicle;~~

**4. Park Trailer Model. A portable temporary dwelling unit containing its own wheels and designed for travel, recreation or vacation use;**

~~[3]5. Pickup Coach/Camper. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation ~~[and] or~~ vacation;~~

**6. Toy Hauler or Cargo Hauler. A temporary dwelling, combined recreational vehicle and/or cargo hauler, designed for travel, recreation or vacation use, which may be a self-propelled vehicle or include its own towing vehicle;**

[4]7. Travel Trailer. A vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation ~~and~~ or vacation use[. It shall have], **and having** a body width not exceeding 8.5 feet, and a body length not exceeding 60 feet, including its own towing vehicle;

~~[5. — Park Model;]~~

**8. Utility trailer. A vehicle, other than a 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, flatbed trailers, hauling trailers, and boat trailers;**

~~[6. — A recreational vehicle is not allowed as a guest building in any zoning district.] [See “guest building” for RV restrictions.]~~

[Recreational vehicle definitions amended to match RV parking definitions in CCMC Chapter 8.10.]

"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. [Number of spaces per acre established in RV Park standards, Chapter 18.09.]

"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" or “camping 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]~~ **of recreational vehicles in a 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, metals, 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.] [Moved to “sewerage systems” as used in 18.04.]~~

~~["Rental store" means a facility for the rental of general merchandise to the general public. (See also "video rental".)] [Term not used.]~~

"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.

**"Residence" means any building or portion thereof used exclusively for residential purposes, but does not include hotels, clubs, boarding or rooming houses, or institutions.**

**"Residence, attached" means a one-family residence attached to 2 or more one-family residences by common vertical walls.**

**"Residence, multi-family" means a building designed and/or used to house three or more families, living independently of each other. ["Residential" definitions added as used in 18.04 to match "dwelling" definitions.]**

**"Residence, single-family" means:**

**1. A building used to house not more than one family or a group of not more than four unrelated persons living together sharing a noncommercial single dwelling unit and common house-keeping facilities.**

**2. A residential facility for groups in which 10 or fewer unrelated persons with disabilities reside with:**

**(a) House parents or guardians who need not be related to any of the persons with disabilities; and**

**(b) If applicable, additional persons who are related to the house parents or guardians within the third degree of consanguinity or affinity.**

**3. A home for individual residential care.**

**4. A halfway house for recovering alcohol and drug abusers in which fewer than 11 persons reside.**

**5. Factory-built housing that has been built in compliance with the standards for single-family residential dwellings of the Uniform Building Code most recently adopted by the International Conference of Building Officials.**

**6. A manufactured home.**

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

"Residential facility for groups" has the meaning ascribed to it in NRS and means an establishment that furnishes food, shelter, assistance and limited supervision to a person with an intellectual disability or a person who is aged or infirm. The term:

1. Includes, without limitation, an assisted living facility; and
2. Does not include:
  - a. An establishment which provides care only during the day;

- b. A natural person who provides care for no more than two persons in his or her own home;
- c. A natural person who provides care for one or more persons related to him or her within the third degree of consanguinity or affinity;
- d. A halfway house for recovering alcohol and drug abusers; or
- e. A home in which community-based living arrangement services or supported living arrangement services are provided by a provider of such services during any period in which the provider is providing the services.

~~["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.] [Individual uses permitted based on the appropriate zoning district.]~~

"Restaurant" means a business establishment whose principal business is the preparing and selling of meals of unpackaged food or beverages to the customer in a ready to consume state ~~[in non-disposable 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.] [Term not used.]~~

"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.] [Term not used.]~~

"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.] [Term not used.]~~

"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.] [Changed to "thrift store."]~~

"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.] [Term not used.]~~

"Setback" means the **minimum** distance that structures~~[-, buildings or uses must be removed from their property lines]~~ **must be located from the applicable property line, measured along a line at right angles to that property line.**

"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.] [See "Wastewater treatment facility."]~~

**"Sewerage systems" means the entire system of sewer collection, treatment and disposal.**  
[As used in 18.04; moved from "refuse and sewerage systems.]

"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.] [See "personal services."]~~

"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.] [Term not used.]~~

"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.

~~["Skating arena" means a building or structure where skating and/or uses associated with skating may be conducted.] [See "Indoor recreation facility."]~~

"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.] [See "Community institution (non-profit)."]~~

"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]~~ two 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.] [See "restaurant."]~~

"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.] [Term not used.]~~

"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.

**"Thrift store" 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.** [Formerly known as "secondhand business."]

~~["Tour operator" means a person or company that organizes package tours.] [Term not used.]~~

"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.] [Term not used.]~~

"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.] [Term not used; see "school, vocational."]~~

"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).] [See "transient occupancy" below.]~~

"Transient occupancy" means occupancy of lodging facility or recreational vehicle space on a nonpermanent basis, **for a period** not to exceed **28 days or, if specified as "extended stay" by this title, 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] two 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.] [See "personal services."]~~

"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.] [Term not used; see "crating or hauling depot and storage."]~~

"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.] [See "retail sales."]~~

"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.] [Term not used.]~~

"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.] [See "retail sales."]~~

"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.] [The range of the antenna does not define it for the purposes of design.]~~

"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.

**"Zoning map" means the official map dividing land in Carson City into the various zoning districts that are established in title 18 of the Carson City Municipal Code.**

"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.

(Ord. 2007-37 § 1, 2007; Ord. 2007-24 § 1, 2007; Ord. 2007-21 § 1, 2007; Ord. 2007-9 § 4, 2007; Ord. 2006-21 § 1, 2006; Ord. 2006-13 § 2, 2006; Ord. 2006-4 § 7, 2006; Ord. 2004-20 § 4, 2004; Ord. 2004-12 § 1, 2004; Ord. 2002-37 § 1, 2002; Ord. 2001-23 § 2 (part), 2001).

( [Ord. No. 2008-26, § I, 7-3-2008](#); [Ord. No. 2008-33, § II, 9-4-2008](#); [Ord. No. 2009-14, § I, 7-2-2009](#); [Ord. No. 2009-26, § I, 12-3-2009](#); [Ord. No. 2013-20, § I, 7-18-2013](#); Ord. No. [2014-10](#), § I, 7-3-2014; Ord. No. [2017-21](#), § II, 10-5-2017)

**Chapter 18.04 – [USE] ZONING DISTRICTS**

**Sections:**

**18.04.005 - Applicability.**

The provisions of this chapter are applicable to all lands within Carson City, Nevada. Process-oriented standards are contained in this section. Design-oriented standards are contained in the development standards handbook, which is parallel in authority to this section.

**18.04.010 - Districts established.**

In order to classify, regulate and restrict the use of land; the location, use, bulk and height of structures; and to carry out the purposes of this title, [~~land use~~] **zoning** districts are established as follows:

~~[Overlay Zones are areas which may require additional review:]~~

	<u>Abbreviated Designation</u>
<b><u>Overlay Zoning Districts</u></b>	
Historic District	
Skyline Ordinance Area	
<b>Single-Family Residential</b>	<b>[Abbreviated Designation]</b>
Single-Family—5 Acre	SF5A
Single-Family—2 Acre	SF2A
Single-Family—1 Acre	SF1A
Single-Family—21,000 square feet	SF21
Single-Family—12,000 square feet	SF12
Single-Family—6,000 square feet	SF6
Mobilehome—6,000 square feet	MH6
Mobilehome—12,000 square feet	MH12
Mobilehome—1 Acre	MH1A
Mobilehome Park	MHP
<b>Multi-Family Residential</b>	
Multi-Family Duplex	MFD
Multi-Family Apartments	MFA

<b>Office</b>	
Residential Office	RO
General Office	GO
<b>Commercial</b>	
Neighborhood Business	NB
Retail Commercial	RC
General Commercial	GC
Tourist Commercial	TC
<b>Mixed Use</b>	
Downtown Mixed-Use	DT-MU
<b>Industrial</b>	
Limited Industrial	LI
General Industrial	GI
General Industrial Airport	GIA
Air Industrial Park	AIP
Agricultural	A
Conservation Reserve	CR
Planned Unit Development	PUD or -P
<b>Public</b>	
Public	P
Public Neighborhood	PN
Public Community	PC
Public Regional	PR

**18.04.015 - Adoption of districts.**

The ~~[use]~~ **zoning** districts and their boundaries are established by this title and are illustrated on the official map entitled "zoning map of Carson City" on file in the planning and community development department. This map is incorporated in this title by reference. The "zoning map of Carson City" shall be stored, maintained and kept current by the director.

#### **18.04.020 - Determination of districts.**

When uncertainty exists as to the boundaries of any ~~[use]~~ **zoning** districts shown on the official map, the following rules shall apply:

1. Where district boundaries are indicated as approximately following the centerline of streets, alleys, or highways, the actual centerline shall be construed to be the boundary.
2. Where district boundaries are indicated to run approximately parallel to the centerline of a street, the boundary line shall be construed to be parallel to the centerline of the street.
3. Where district boundaries are indicated on such maps as approximately following the lot or tract lines, the actual lot or tract lines shall be construed to be the boundary of such use districts.
4. In a case of uncertainty which cannot be determined by application of the foregoing rules, the director shall determine the location of such use district boundaries. The director's determination may be appealed to the commission for recommendation or conclusion before going to the board.
5. Where, a public street, alley or parcel of land is officially vacated or abandoned, the regulations applicable to abutting property shall apply to such vacated or abandoned street or alley.
6. Where a parcel of land is divided by a zoning district boundary, the following shall apply:
  - a. The permitted uses for the property shall be determined by the zoning district of the portion of the property on which the use is to be developed or conducted;
  - b. Building setbacks shall be determined by the zoning district of the portion of the property on which the building, or any portion thereof, is located;
  - c. Where additional building setbacks are required by this title between the adjacent zoning districts, the setback shall be measured from the zoning district boundary on the parcel;
  - d. To utilize the entire parcel with a use that is only allowed in 1 of the 2 zoning districts, a zoning map amendment or special use permit is required for that portion of the property not zoned for the use.

#### **18.04.025 - Determination of uses.**

The director shall review and make a determination on all requests for each use not listed under permitted, accessory and conditional uses in each ~~[land-use]~~ **zoning** district in compliance with the purpose statement in each ~~[land-use]~~ **zoning** district.

#### **18.04.030 - Nonconforming Uses.**

1. Continuation of Nonconforming Use. A lawful use of land or buildings not in conformance with the regulations ~~[herein prescribed]~~ **of title 18 of CCMC**, legally existing at the time of the adoption of the Carson City zoning ordinance, this title, or any amendment hereto, may be continued.
2. Expansion of Nonconforming **Use or** Building.
  - (a)** A nonconforming use of land shall not be extended or expanded except by special use permit.
  - (b)** A nonconforming building may be extended or expanded to the extent that any additions meet current code requirements and that such additions do not increase the parking requirement unless all required parking for the entire building can be provided.

(c) A building that is nonconforming in setbacks may be extended or expanded along the existing nonconforming setbacks only upon special use permit approval.

(d) A building that is nonconforming in setbacks may be extended or expanded further into the setbacks only upon approval of both a special use permit and variance.

(e) Minor modifications and maintenance necessary to said continuing condition is permitted.

3. Abandonment of Nonconforming Use or Building. A lawful use of nonconforming land or buildings, which is operationally abandoned or discontinued for a period of 12 consecutive months or more shall not be resumed.

4. Exceptions. Nonconforming buildings which have been damaged or destroyed by natural calamity may be repaired [~~;~~] or reconstructed [~~;~~ ~~moved or altered~~] within 1 year from the date of damage provided [~~the repaired building is proportionate to the previous use~~] **that any deviations from the height or setbacks of the damaged or destroyed buildings are in compliance with applicable zoning requirements, the total building area is not increased except by approval of a special use permit, and all new construction or repairs meet current building code requirements.**

5. Nonconforming Parcels. All existing legally created parcels of less [~~square footage~~] area than required within a [~~use~~] zoning district are considered legal nonconforming parcels but must meet all code requirements in that district.

#### **18.04.035 - Purpose of zoning districts and permitted uses.**

The uses permitted in each district are those listed for such district as described in the following sections.

#### **18.04.040 - Single-family 5 acre (SF5A).**

The purpose of the SF5A district is to provide for low-density residential units located on large lots and [~~conveying~~] **consistent with** a rural environment. These districts are consistent with the policies of the [~~rural residential category of the master plan~~] **Rural Residential designation of the Master Plan.**

[Refer to the attached Use Tables for the list of uses for each zoning district.]

#### **18.04.045 - Single-family 2 Acre (SF2A), 1 Acre (SF1A) and 21,000 (SF21) residential districts purpose.**

The purpose of the SF1A, SF2A and SF21 districts are to provide for the development of low-density, large lot, single-family detached residential units. The SF1A, SF2A and SF21 districts are consistent with the policies of the [~~suburban residential category of the master plan~~] **Low-Density Residential designation of the Master Plan.**

#### **18.04.065 - Single-family 6,000 (SF6) and 12,000 (SF12) residential districts purpose.**

The purpose of the SF6 and SF12 districts is to provide for the development of single-family detached dwellings in a suburban setting. The SF6 and SF12 districts are consistent with the policies of the [~~low density residential category of the master plan~~] **Medium-Density Residential designation of the Master Plan.**

#### **18.04.080 - Mobilehome 6,000 (MH6), 12,000 (MH12) and 1 acre (MH1A) residential districts purpose.**

The purpose of the MH6, MH12, or MH1A districts are to establish sub-division lots primarily for mobilehomes. [~~The MH6, MH12 and MH1A districts are consistent with the policies of the mobilehome residential category of the master plan.~~] **The MH6 and MH12 districts are consistent with**



**the policies of the Medium-Density Residential designation of the Master Plan. The MH1A district is consistent with the Low-Density Residential designation of the Master Plan.**

**18.04.081 - Manufactured or mobilehomes authorized.**

Placement of manufactured homes or mobilehomes within mobilehome zoning districts or mobilehome parks.

1. In those areas which have been designated in Title 18 as allowing mobile or manufactured homes to be utilized as a residence, said mobile or manufactured homes are authorized when installed in conformity with provisions of Nevada Revised Statutes, the regulations adopted by the Manufactured Housing Division of the Department of Commerce and the provisions of this Title.

2. Any mobile or manufactured home installed in Carson City must be constructed or manufactured not more than 15 years prior to the date of the application for the mobile or manufactured home lot development permit or a replacement mobilehome permit for mobilehome parks. This requirement does not pertain to the following:

a. Any mobile or manufactured home, which is legally authorized for habitation in Carson City prior to January 6, 2005, provided the continuing use complies with Titles 15 and 18 of the Carson City Municipal Code or;

b. Any mobilehome or manufactured home in a mobilehome park that complies with the following standards:

(1) The mobile or manufactured home shall be equipped with commercially manufactured skirting, which shall be professionally installed with a top and bottom railing;

(2) The exterior of the mobile or manufactured home shall be in good repair without dents or flaking or peeling paint;

(3) All windows on the mobile or manufactured home shall be intact with no cracked, missing or broken panels;

(4) The roof of the mobile or manufactured home shall be in good repair with no apparent leaks or missing roofing material;

(5) Any planned or existing add-ons to the mobile or manufactured home must appear to be factory made, must match the mobilehome or manufactured home, and must be in compliance with the Carson City Building Code; and

(6) The continuing use complies with Titles 15 and 18 of the Carson City Municipal Code.

**18.04.095 - Mobilehome park (MHP).**

1. Purpose and Scope.

a. The purpose of the mobilehome park district is to ensure compatibility with adjacent uses and to ensure adequate interface and mitigation of potential adverse impacts, while providing for the comprehensive review of a mobilehome park development by public hearing and various city departments in a coordinated efficient manner, prior to the construction of any mobilehome park improvement, **consistent with the High-Density Residential designation of the Master Plan.** It is also the purpose of this chapter to implement several objectives and recommendations of the master plan by:

(1) Providing land for future development without sacrificing the character and qualities identified with Carson City;

(2) Assuring land use patterns consistent with the circulation network and availability of public services and facilities;

(3) Maintaining building and site design standards sufficient to protect the health, safety and welfare of city residents and visitors;

(4) Resolving potential conflicts between adjacent land uses;

(5) Assuring appropriate residential zoning to provide housing opportunities to all income levels;

(6) Promoting flood drainage areas to be retained as open space; and

(7) Promoting better community design appearance and recognition of Carson City by providing a more pleasing environment for residents, business and visitors.

b. Scope.

(1) This chapter provides for the following:

i. Procedures for coordinated review of conceptual plans by city departments;

ii. Procedures for the coordinated review of application to construct a mobilehome park;

(2) No mobilehome park shall hereafter be constructed or remodeled in Carson City unless approval has first been obtained in accordance with the provisions of this chapter.

(3) The authority for this chapter is found in the Nevada Revised Statutes section 461.A.110 and the state's guidelines on regulations, construction and alteration of mobilehome parks and spaces, effective June 29, 1984.

2. Location of Mobilehome Parks. Mobilehome parks are permitted only within the mobilehome park, retail commercial and general commercial districts and subject to special use permit approval.

3. Permitted Uses within a Mobilehome Park.

a. The uses permitted within mobilehome parks are:

(1) Mobilehome;

(2) A manager's office used in conjunction with the mobilehome park operation;

(3) Social or recreation center operated exclusively for the convenience of park residents;

(4) Park laundry facilities;

(5) Home occupation in accordance with the provisions of Title 18 (Definitions) of this code;

(6) The director may permit any other uses which may be determined to be substantially similar to those listed above, operated exclusively for the convenience of mobilehome park residents, which are not detrimental to the public health, safety and welfare.

b. The conditional uses in the MHP district which require approval of a special use permit are:

(1) The utilization of social and recreation centers and facilities for activities not related to the park residents;

(2) Child care facility;

(3) Convenience store;

(4) Limited sales of items related to the maintenance and operation of mobilehomes within the park;

(5) The limited display and sale of mobilehome units installed as model units. The number of model units permitted is to be determined as part of the special use permit. There shall be measures to assure that the display and sales activities do not overshadow the residential character of a mobilehome park.

4. Procedures for the Review and Approval of a Mobilehome Park.

a. A pre-application conference with the director in order to explain city ordinances and regulations, is required prior to the submission of a mobilehome park development plan for the review by Carson City. The purpose of the pre-application conference is to familiarize the applicant with the provisions of the mobilehome park ordinance and requirements.

b. A development plan for a mobilehome park consisting of 10 or more units shall be processed as a major project review item, prior to the submission of an application for the construction of a mobilehome park. Each application for a major project review shall be submitted to the director and include the required information and fees.

c. After the pre-application conference and major project review process has been completed for a park proposing 10 or more units, or a pre-application conference has been completed for a park proposing less than 10 units, an applicant may then proceed to apply for a building permit, within 180 days of the project review meeting.

d. The ~~[building and safety department]~~ **Community Development Department** is responsible for processing the plans for the review by ~~[city]~~ **City** departments and collecting the fees for reviews as required by the code. No permit for construction shall be issued unless approval has first been received from ~~[the planning and community development, and other]~~ **all** pertinent departments.

e. Each application to construct a mobilehome park shall be submitted to the building department and be accompanied by the required information.

f. No modifications or revisions to final approved plans can be made unless all the above departments approve said modifications or revisions.

~~[g. The development engineering services department shall inspect each mobilehome park and the installation and/or construction thereon of any item required for compliance with provisions of this chapter.] [Part of the construction permit; not necessary to be called out separately.]~~

5. Mobilehome Park Requirements. The standards provided in this section are intended to require sufficient open space and complementary uses under conditions which assure protection of the character of the district in which the mobilehome park is located. Each mobilehome park constructed and operated under the provisions of this chapter shall provide for the following in the manner herein specified.

a. All mobilehome parks shall be developed in accordance with the existing city codes, requirements and standards ~~[and specifically that of the Carson City planning and community development, and other pertinent departments]~~.

b. The standards of development for the locations, width, layout and servicing of public and private streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, storm water drainage, water supply and distribution, sanitary sewers and sewage collection for mobilehome parks shall be in accordance with those standards adopted by Carson City.

c. All mobilehome parks shall be developed in accordance with the State of Nevada Manufactured Housing Division, Regulation, Construction and Alteration of Mobilehome Parks and Space Standards which are not superseded by this chapter.

d. All mobilehome parks shall be [~~located on a well drained site, properly~~] graded in accordance with Division 13 of the development standards.

e. The minimum mobilehome park site area required is 1 acre.

f. [2] Two rental mobilehome units or more on a single parcel of land are considered to be a mobilehome park and, therefore, subject to compliance with all provisions of this chapter. Mobilehome parks shall be served by city water and sewer utility systems. The provision of electric energy to the park and each unit within the park is mandatory. Within the park all utilities shall be placed underground.

~~[6. Nonconforming Uses.~~

~~———— a. Within Carson City there exist mobilehome parks which are considered lawful before the passage of the ordinance codified in this chapter, but may be prohibited or nonconforming under this chapter. It is the intent of this chapter to permit these nonconformities to continue until removed or abandoned for a period of 1 year, but not to encourage their expansion unless in accordance with Title 18 (Nonconforming Uses) of this code requiring approval of a special use permit for the expansion of a nonconforming use.~~

~~———— b. When a nonconforming use ceases to exist for any reason for a period exceeding 1 year, any subsequent use of such land shall conform to the regulations specified by this chapter.~~

~~———— c. Nonconforming uses shall not be enlarged or altered in a way which increases the park's nonconformity except that a nonconforming use/structure may be structurally altered if required by law or approval of a special use permit.~~

~~———— d. Any enlargement or expansion of a nonconforming use shall conform to the regulations of this chapter.~~

~~———— e. Shall a mobilehome park use be destroyed or damaged by any means, it shall not be reconstructed, except in conformity with this chapter's regulations.] [18.04.030 Nonconforming Uses applies here; no need to repeat.]~~

**18.04.100 - Multifamily duplex (MFD) residential district.**

The purpose of the MFD district is to establish lots primarily for medium to [~~low density~~] **high-density** single-family and duplex units. The MFD district is consistent with the policies of the [~~medium density residential category of the master plan~~] **High-Density Residential designation of the Master Plan.**

**18.04.105 - Multifamily apartment (MFA) residential district.**

The MFA district is intended to provide for the development of a variety of multifamily units such as duplexes, townhouses and [~~high density~~] apartments. The MFA district is consistent with the policies of the [~~high density residential category of the master plan~~] **High-Density Residential designation of the Master Plan.**

**18.04.110 - Residential office (RO).**

The purposes of the RO district are to preserve the desirable characteristics of the residential environment insofar as possible while permitting selected, nonresidential uses; to promote the development of offices in appropriately located areas in the vicinity of commercial zones and multiple family residential zones, along major thoroughfares, or in other portions of the city in conformity with the master plan; and to preserve adequate usable open space for benefit of the occupants within the area and to ensure appropriate development of sites occupied by other uses in a manner comparable to and harmonious with the residential uses in the area or district. **The RO district is consistent with the policies of the Mixed-Use Residential designation in the Master Plan.**

**18.04.115 - General office (GO).**

The purpose of the GO district is to promote the development of offices in appropriately located areas in the vicinity of commercial zone, single-family and multifamily residential zones, encouraging mixed uses along collector and arterial streets, or in other portions of the city in conformity with the master plan; to preserve the desirable characteristics of the residential environment insofar as possible while permitting selected nonresidential uses; and to preserve adequate usable open space for benefit of the occupants within the area and to ensure appropriate development of sites occupied by other uses in a manner comparable to and harmonious with the residential uses in the area or district. **The GO district is consistent with the policies of the Mixed-Use Residential designation in the Master Plan.**

**18.04.120 - Neighborhood business (NB).**

The purpose of the NB District is to provide services for the larger neighborhood, within walking or bicycling distance, and limited primarily to offices and retail sale of new merchandise. Unless expressly permitted otherwise by this section, all uses within the NB District shall be conducted with a building with no outside storage. Temporary outdoor display and sale of merchandise for a period not to exceed thirty (30) days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities). **The NB district is consistent with the policies of the Neighborhood Commercial designation in the Master Plan.**

**18.04.125 - Downtown mixed-use (DT-MU).**

The purpose of the DT-MU district is to preserve a mixed-use district limited primarily to retail sales of new merchandise, office, **restaurants, personal services**, residential and tourist-related uses. All uses within the DT-MU district shall be conducted within a building except by approval of a Special Use Permit or as otherwise permitted by this section or the DT-MU development standards. **The DT-MU district is consistent with the policies of the Downtown Mixed-Use designation in the Master Plan.**

**18.04.130 - Retail commercial (RC).**

The purpose of the RC District is to preserve a commercial district limited primarily to offices and retail sale of new merchandise and excluding all uses in the General Commercial and Industrial Districts, except for some service uses which are compatible with the zone. All uses within the RC District shall be conducted within a building, and aside from display windows, be screened from view. Outdoor display and storage of autos, recreational vehicles, or mobilehomes in conjunction with an existing business with sales of autos, recreation vehicles and mobilehomes is allowed in accordance with Division 2 of the Development Standards and provided the vehicles or mobilehomes do not encroach into City or State Right-of-Way without an approved encroachment permit and are screened from adjacent parcels. Temporary 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 to Title 18.02.115.8 (Outdoor Sales and Activities). **The RC district is consistent with the policies of the Commercial/Regional Commercial designation in the Master Plan.**

**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 pursuant to subsection 8 of CCMC 18.02.115, which establishes provisions relating to outdoor sales and activities. **The GC district is consistent with the policies of the Commercial/Regional Commercial designation in the Master Plan.**

**18.04.140 - Tourist commercial (TC).**

The TC district is intended to permit a broad range of primary and accessory tourist commercial uses to encourage tourism and to serve the visitor-related activities of Carson City. All uses within this district shall be oriented toward the promotion, accommodation and service of tourism and associated needs of the commercial tourist related activities and services.

The TC district is also established to provide for development and enhancement of the retail and personal service uses, to further serve as a convenience to the needs of the tourist traveler and the associated service providers. Accessory services, which serve to foster the tourist commercial nature of the district, are encouraged and allowed to provide balance for the community.

This district is envisioned to present a sense of arrival and/or gateway presence through the enhancement of both design and location. These TC areas shall also be designed to further ensure compatibility with the surrounding land uses through the provision of design guidelines (setbacks, screening, buffers, hours of operation, etc.) included in the development standards for Carson City. **The TC district is consistent with the policies of the Commercial/Regional Commercial designation in the Master Plan.**

#### **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 pursuant to subsection 8 of CCMC 18.02.115, which establishes provisions relating to outdoor sales and activities. Unless a use is specifically set forth in this section, uses listed in the General Industrial district are prohibited in the LI District.

#### **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 set forth in this section are prohibited in the Limited Industrial and Air Industrial Park districts unless specifically identified as a use in those sections.

#### **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.

#### **18.04.155 - Air industrial park (AIP).**

The AIP District is established to preserve a highly landscaped industrial district with limited types of industrial uses, providing accessory airport and support services, excluding unscreened outside storage.

#### **18.04.160 - Agriculture (A).**

The purpose of the A district is to identify those lands that are used for cattle raising or agricultural purposes.

#### **18.04.165 - Conservation reserve (CR).**

The purpose of the CR district is to identify the outlying lands that may be developed in the future when water supply, roads, schools, sewer and other public facilities and services are provided for potential development and lands with environmental constraints.

**18.04.170 - Public (P).**

The Public zoning district generally applies to State-owned lands within Carson City. The purpose of the public (P) district is to achieve the following:

1. To accommodate the wide range of public institutional and auxiliary uses which are established in response to the health, safety, cultural and welfare needs of the citizens of the city.
2. To organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible, and attractively planned administrative centers in conformance with the master plan and to establish special use permit approval for all uses thereby ensuring compatibility with adjacent more restrictive districts. All public (P) district development standards relative to lot area, setbacks, building height, landscaping, off-street parking and signs shall be based on requirements and conditions of the special use permit.
3. To establish site plan approval for many uses thereby ensuring compatibility with adjacent more restrictive districts and to organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible and attractively planned uses in conformance with the master plan.

**18.04.175 - Public neighborhood (PN) and public community (PC).**

Public neighborhood (PN) means facilities and uses that serve only a small area of the city. Utility substations are prohibited within the PN district. The purpose of the public neighborhood (PN) district is to achieve the following:

1. To accommodate the wide range of public institutional and auxiliary uses which are established in response to the health, safety, cultural and welfare needs of the citizens of the city.
2. To organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible, and attractively planned administrative centers in conformance with the master plan and to establish special use permit approval for all uses thereby ensuring compatibility with adjacent more restrictive districts. All public neighborhood (PN) district development standards relative to lot area, setbacks, building height, landscaping, off-street parking and signs shall be based on requirements and conditions of the special use permit.
3. To establish site plan approval for many uses thereby ensuring compatibility with adjacent more restrictive districts and to organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible and attractively planned uses in conformance with the master plan.

~~**18.04.180 - Public community (PC).**~~

~~Public community (PC) means facilities and uses that serve primarily a large portion of Carson City. The purpose of the public community (PC) district is to achieve the following:~~

- ~~1. To accommodate the wide range of public institutional and auxiliary uses which are established in response to the health, safety, cultural and welfare needs of the citizens of the city.~~
- ~~2. To organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible, and attractively planned administrative centers in conformance with the master plan and to establish special use permit approval for all uses thereby ensuring compatibility with adjacent more restrictive districts. All public community (PC) district development standards relative to lot area, setbacks, building height, landscaping, off-street parking and signs shall be based on requirements and conditions of the special use permit.~~

~~3. To establish site plan approval for many uses thereby ensuring compatibility with adjacent more restrictive districts and to organize the assemblage of specific, nonprofit and profit public facilities into efficient functionally compatible and attractively planned uses in conformance with the master plan.]~~  
[Combined with PN above.]

**18.04.185 - Public regional (PR).**

PR means Federal, state and city facilities and uses whose main purpose is to sustain wide regional needs.



**18.04.190 - Residential districts intensity and dimensional standards.**

All development in residential districts shall be subject to the intensity and dimensional standards set forth in the following table. These standards may be further limited or modified by other applicable sections of this code and the development standards.

**Site Development Standards**

Zoning Districts	Minimum Parcel Area (Acres or Square Feet)	Maximum Density	Minimum Lot Width (Feet)	Maximum Lot Depth (Feet)	Maximum Height (Feet)	Minimum Setbacks (Feet): Front	Minimum Setbacks (Feet): Side	Minimum Setbacks (Feet): Street Side	Minimum Setbacks (Feet): Rear
SF5A <sup>(1)</sup>	5 AC	1 per 5 AC parcel	200 <sup>(9)8</sup>	N/A	40*	100	50	50	50
SF2A <sup>(1)</sup>	2 AC	1 per 2 AC parcel	200 <sup>(9)8</sup>	N/A	32*	50	20	20	30
SF1A <sup>(1)</sup>	1 AC	1 per 1 AC	120 <sup>(9)8</sup>	360 <sup>(7)6</sup>	32*	30	15	20	30
SF21 <sup>(1)</sup>	21,000 SF	1 per 21,000 SF parcel	80 <sup>(9)8</sup>	240 <sup>(7)6</sup>	26*	20	10	15	20
SF12 <sup>(1)</sup>	12,000 SF	1 per 12,000 SF parcel	70 <sup>(9)8</sup>	210 <sup>(7)6</sup>	26*	20	10	15	20
SF6 <sup>(1)</sup>	6,000 SF 6,500 SF Corner	1 per 6,000 SF parcel/6,500 SF corner parcel	60 <sup>(9)8</sup>	180 <sup>(7)6</sup> (120 cul-de-sac)	26*	20	5	10	10 <sup>(3)2</sup>
MH6 <sup>(1)</sup>	6,000 SF 6,500 SF Corner	1 per 6,000 SF parcel	60 <sup>(9)8</sup>	180 <sup>(7)6</sup>	26*	20	5	10	10 <sup>(3)2</sup>
MH12 <sup>(1)</sup>	12,000 SF	1 per 12,000 SF parcel	70 <sup>(9)8</sup>	210 <sup>(7)6</sup>	26*	20	10	15	20
MH1A <sup>(1)</sup>	1 AC	1 per acre	120 <sup>(9)8</sup>	360 <sup>(7)6</sup>	32*	30	15	20	30
MFD	6,000 SF	<del>1-0</del> 2 per 6,000 SF parcel	60 <sup>(9)8</sup>	150	26*	20	5 <sup>(4)3</sup>	10	10 <sup>(3)4</sup>

MFA <sup>(7)</sup>	6,000 SF	29-36 1,200 SF of land area/1 bedroom units or studios and/or 1,500 SF of land area/2 bedroom or more units	60 <sup>(8)</sup>	150	45*	10 <sup>(9)</sup>	10 <sup>(3,4,7)</sup>	10 <sup>(10)</sup>	20 <sup>(4)</sup>
MHP	1 AC	N/A	N/A	N/A	N/A	10 <sup>(6,5)</sup>	10 <sup>(6,5)</sup>	10 <sup>(6,5)</sup>	10 <sup>(6,5)</sup>
RO <sup>(1)</sup>	6,000 SF	7.26	60 <sup>(8)</sup>	150	35*	10 <sup>(9)</sup>	10 <sup>(3)</sup>	10 <sup>(10)</sup>	20

Additional Requirements or Allowances:

\* Additional height allowed by Special Use Permit.

- (1) Only 1 main [~~building or home~~] **residence** is allowed per [1] parcel.
- (2) All portions of a structure exceeding 20 feet in height must be a minimum of 20 feet from the rear property line.
- (3) Side setback may be waived if 2 adjacent structures are connected by a parapet firewall.
- (4) For each story above 1 story, add 10 feet if adjacent to a single-family district.
- (5) Park perimeter only; see **Development Standards** Division 10 (**Mobile home park standards**) [~~of the development standards~~] for interior space/setback requirements.
- (6) Maximum lot depth is three times the minimum lot width except as necessary to meet minimum parcel size.
- (7) See Development Standards Division 1.17 (**Multi-family apartment standards**) for open space requirements and additional standards. Side setback: 10 feet for external property boundaries and minimum 10 feet between residential structures for internal setbacks.
- (8) 54 feet minimum street frontage at the end of a cul-de-sac.
- (9) An additional 10 feet is required for each story above 2 stories.
- (10) An additional 5 feet is required for each story above 2 stories.

**18.04.195 - Non-residential districts intensity and dimensional standards.**

All development in non-residential districts shall be subject to the intensity and dimensional set forth in the following table. These standards may be further limited or modified by other applicable sections of this code and the development standards.

**Site Development Standards**

Zoning Districts	Minimum Area (SF or AC) <sup>13</sup>	Minimum Lot Width (Feet)	Maximum Lot Depth (Feet)	Maximum Height (Feet)	Minimum Setbacks (Feet): Front	Minimum Setbacks (Feet): Side	Minimum Setbacks (Feet): Street Side	Minimum Setbacks (Feet): Rear
RO	6,000 SF	60 <sup>12</sup>	150	35 <sup>1</sup>	10 <sup>8,14</sup>	10 <sup>5</sup>	10 <sup>8,15</sup>	20 <sup>8</sup>
GO	6,000 SF	60	150	50 <sup>1</sup>	10 <sup>8,15</sup>	10	10 <sup>8</sup>	20 <sup>6,8</sup>
NB	9,000 SF <sup>4</sup>	75	N/A	26 <sup>1</sup>	0 <sup>7,8</sup>	0 <sup>7</sup>	0 <sup>7,8</sup>	0 <sup>7,8</sup>
RC	6,000 SF	50	N/A	45 <sup>1</sup>	0 <sup>7,8</sup>	0 <sup>7</sup>	0 <sup>7,8</sup>	0 <sup>7,8</sup>
GC	6,000 SF	60	N/A	45 <sup>1</sup>	0 <sup>7,8</sup>	0 <sup>7</sup>	0 <sup>7,8</sup>	0 <sup>7,8</sup>
TC	6,000 SF	60	N/A	45 <sup>1</sup>	0 <sup>8</sup>	0 <sup>7</sup>	0 <sup>8</sup>	0 <sup>8</sup>
DT-MU	6,000 SF	50	N/A	(2)	0 <sup>9,2</sup>	0 <sup>9,2</sup>	0 <sup>9,2</sup>	0 <sup>9,2</sup>
LI	21,000 SF	100	N/A	32 <sup>1</sup>	30 <sup>8,10</sup>	10 <sup>10,11</sup>	10 <sup>8,10</sup>	30 <sup>8,10,11</sup>
GI	12,000 SF	120	N/A	45 <sup>1</sup>	30 <sup>8,10</sup>	0 <sup>10</sup>	0 <sup>8,10</sup>	0 <sup>8,10</sup>
GIA	12,000 SF	120	N/A	45 <sup>1</sup>	30 <sup>8,10</sup>	0 <sup>10</sup>	0 <sup>8,10</sup>	0 <sup>8,10</sup>
AIP	20,000 SF	100	N/A	45 <sup>1</sup>	30 <sup>8</sup>	20	20 <sup>8</sup>	30 <sup>8</sup>
CR	20 AC	300	N/A	40 <sup>1</sup>	30	20	20	30
A	20 AC	300	N/A	40 <sup>1</sup>	30	20	20	30
P	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>
PN/PC/PR	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>	N/A <sup>3</sup>

**Additional Requirements or Allowances:**

1. Additional height allowed by special use permit.
2. Subject to the Development Standards Division 6, Downtown Mixed-Use District.
3. Building height, building setbacks, minimum area, minimum lot width and maximum lot depth to be determined by special use permit.

4. For each main structure.
5. Side setback may be waived if 2 adjacent structures are connected by a parapet fire wall.
6. Rear yard shall be increased by 10 feet for each story above 2 stories. Where the rear yard abuts a commercial district, the setback is 0 feet.
7. Adjacent to Residential District 30 feet is required. Corner lots require setback for sight distance.
8. Business Arterial landscape setback requirement = 10 feet (average).
9. Adjacent to residential district, 10 feet required. Corner lots require setback for sight distance.
10. 50 feet adjacent to residential district.
11. If adjacent to Limited Industrial (LI) District, side and rear yard setbacks may be reduced to 0 subject to applicable building and fire codes.
12. 54 feet minimum street frontage at the end of cul-de-sac.
13. Except in the CR, A, P, PN, PC and PR zoning districts, minimum area includes all common areas, parking, landscaping and building areas associated with a project for the purposes of creating building envelopes or condominium units where common access is provided to the project site. Minimum lot width (feet) and maximum lot depth (feet) requirements may be waived.
14. An additional 10 feet is required for each story above 2 stories.
15. An additional 5 feet is required for each story above 2 stories.

## Chapter 18.04 - Residential Districts Use Tables

P = Permitted as a primary use

A = Permitted accessory to a Permitted use

S = Special Use Permit required (conditional use)

Blank = Prohibited

√ = Defined in Section 18.03 (Definitions)

Use	SF5A	SF2A	SF1A	SF21	SF12	SF6	MH12	MH6	MH1A	MHP	MGD	MFA	MHP	RO
√ Accessory farm structure/barn or stable [see "accessory structure."]	A	A	A						A					
√ Accessory structure	A	A	A	A	A	A	A	A	A	A	A	A		P
√ Agricultural use	P	A or S	A											
√ Animal shelter	S													
√ Animals and fowl	A	A	A						A					
√ Art gallery														P
√ Bed and breakfast inn	S	S	S											
√ Bed and breakfast inn only within the Historic District				S	S	S								
√ Cemetery	S													
√ Child care													S	
√ Child care facility (accessory to residential use)	S	S	S	S	S	S	S	S	S	S	S	S		S
√ Church	S	S	S	S	S	S	S	S	S		S	S		S
Commercial stable/riding academy (see "riding academy")	S													
Commercial stable/riding academy (accessory to a residential use [see "riding academy"])		S												
√ Clinic														S
√ Congregate care housing/senior citizen home												S		
√ Convenience store													S	
√ Country club	S													
√ Crop storage	A													
Farm equipment storage	A													
√ Funeral home; mortuary														S
√ Golf course and driving range	S													
√ Guest building	A	A	A	A	S	S	S	S	A					
Health and fitness club	S													
Home occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A
√ Kennel (within a building)	S													
√ Laboratory (medical, optical, dental or veterinarian) [see "clinic"]														S
√ Massage therapy														P
√ Mobilehome model units										S			S	
√ Municipal building														S
Municipal well facility	S	S	S	S	S	S	S	S	S		S	S		S
√ Museum														P
√ Nursery	S													
√ Office														P
√ Park	P	P	P	P	P	P	P	P	P		P	P		P
Parking lot or parking garage														A
√ Pharmacy														S

## Chapter 18.04 - Residential Districts Use Tables

P = Permitted as a primary use

A = Permitted accessory to a Permitted use

S = Special Use Permit required (conditional use)

Blank = Prohibited

√ = Defined in Section 18.03 (Definitions)

Use	SF5A	SF2A	SF1A	SF21	SF12	SF6	MH12	MH6	MH1A	MHP	MFD	MFA	MHP	RO
Ranch and farm hand living quarters/ bunkhouses including seasonal housing	S													
Recreation (pool, tennis court) for individual or subdivision use	A	A	A	A	A	A	A	A	A	A	A	A	A	
Recreation and activities not for park residents use													S	
√ Residence, mobilehome/ manufactured home	p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	P	P	P	P			P	
√ Residence, multi-family											S	P		S
√ Residence, single-family	P	P	P	P	P	P	P	P	P	P	P	P		P
√ Residence, two-family						S <sup>2</sup>					P	P		P
√ Riding academy	S													
√ Riding academy (accessory to residential use)		S												
√ School, K-12	S	S	S	S	S	S	S	S	S		S	S		S
√ Tea house														P
Temporary sales tract office (see "tract sales office, temporary")			S	S	S	S	S	S	S		S	S		S
√ Tract sales office, temporary			S	S	S	S	S	S	S		S	S		S
√ Utility substation	S	S	S	S	S	S	S	S	S		S	S		S
√ Veterinary clinic	S	S							S					
√ Winery	S													
√ Wireless communication facility <sup>3</sup>	S	S	S	S	S	S	S	S	S	S	S	S	S	S
√ Youth Recreation Facility						S								

Footnotes:

1. Manufactured homes permitted subject to special design criteria.
2. Residential, two-family dwelling only on a corner lot in SF6.
3. Limited applicability; see specific "wireless communication facility" process and design standards.

## Chapter 18.04 - Commercial and Industrial Use Tables by Use Type

P = Permitted as a primary use

S = Special Use Permit required (conditional use)

√ = Defined in Section 18.03 (Definitions)

A = Permitted accessory to a Permitted use

Blank = Prohibited

### Retail Uses

CCMC 18.03 (Definitions): "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.

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Adult merchandise retail establishment (per Development Standards 1.19)					P	P		P	P		
√	Amusement devices, sales and service				S	P	P		P	P		
√	Antiques, retail			P	P	P	P	[A] P	P	P		
	Apparel shop/Body apparel shop ["Retail"]				P	P	P		P	P		
√	Appliances, retail ["Retail"]				P	P	P		P	P		
	Architect and engineering supplies ["Retail"]			P		P	P		P	P		
√	Art store ["Retail"]			P	P	P	P		P	P		
√	Automobile parts, tires and accessories			S		P	P		P	P		
√	Automobile, <u>recreational vehicle or trailer</u> retail, new or used					P	P	<u>P</u>	P	P		
√	Bakery ["Retail"]			P	P	P	P	A	P	P		
√	Bar			S	P	S	P	P	P	P		
	Bible and church supplies ["Retail"]				P	P	P		P	P		
	Bicycle shop, retail (repair, accessory) ["Retail"]			P	P	P	P		P	P		
√	Billiard or pool hall [see "bar"]						P		P	P		
√	Bookstore ["Retail"]			P	P	P	P	A	P	P		
√	Boutique ["Retail"]							A				
√	Brew pub				P	P	P	<u>P</u>	P	P		
√	Building materials (indoor only)					S	P		P	P		
	Cameras and film, retail (photo finishing, accessory) ["Retail"]			P	P	P	P		P	P		
	Candy and confectionary, retail ["Retail"]				P	P	P		P	P		
	Carpet and floor coverings					P	P		P	P		
√	Ceramic products with kiln				P	P	P		P	P		
√	Christmas tree sales ["Retail"]				P	P	P		P	P		
	Clock, retail and repair ["Retail"]				P	P	P		P	P		
	Clothing sales/dress shop ["Retail"]			P	P	P	P		P	P		
	Coin store ["Retail"]			P	P	P	P		P	P		
√	Collectibles store			<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P		
	Computer sales and repair ["Retail"]				P	P	P		P	P		
√	Convenience store ["Retail"]			P		P	P	P	P	P		
	Costumes, party and wedding supplies and rental ["Retail"]				P	P	P		P	P		
√	Department store ["Retail"]				P	P	P		P	P		
	Draperies, blinds and window coverings ["Retail"]				P	P	P		P	P		
√	Drugstore and pharmacy [see "pharmacy"]			P	P	P	P		P	P		
	Dry goods store ["Retail"]				P	P	P		P	P		

**Chapter 18.04 - Commercial and Industrial Use Tables by Use Type**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Embroidery shop ["Retail"]				P	P	P		P	P		
	Fabric store ["Retail"]			P		P	P		P	P		
√	Factory outlet store ["Retail"]					P	P		P	P		
√	Farmers market				P	S	S	<u>S</u>	P	P		
√	Flea market (outdoor)									S		S
√	Flea market (indoor)						S	<u>S</u>	S	P		P
√	Florist ["Retail"]			P	P	P	P		P	P		
	Furniture and Home Furnishings, Office and Home, including Retail ["Retail"]					P	P		P	P		
	Furs and leather goods ["Retail"]				P	P	P		P	P		
√	Garden supplies ["Retail"]					P	P		P	P		
√	Gift shop and souvenirs ["Retail"]			P	P	P	P	A	P	P		
√	Greenhouse			P		P	P	<u>P</u>	P	P		
√	Grocery store ["Retail"]					P	P		P	P		
√	Gun store ["Retail"]					P	P		P	P		
√	Hardware store ["Retail"]			P		P	P		P	P		
	Health food products, retail ["Retail"]			P	P	P	P		P	P		
	Herbs, retail ["Retail"]				P	P	P		P	P		
	Hobbies and crafts, retail ["Retail"]			P	P	P	P		P	P		
√	Jewelry store, retail ["Retail"]			P	P	P	P		P	P		
	Knit shop ["Retail"]			P	P	P	P		P	P		
	Liquor and alcoholic beverages, retail ["Retail"]			P	P	P	P		P	P		
√	Magazine sales ["Retail"]				P	P	P		P	P		
	Market (Mini-Market, Food Market, Super-Market) ["Retail"]					P	P		P	P		
	Motorcycle Sales, Service and Accessories					P	P		P	P		
√	Marijuana Retail Store or Medical Marijuana Dispensary, 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)							S		S		
	Music store ["Retail"]				P							
	Office supplies ["Retail"]					P	P		P	P		
√	Outdoor sales, permanent, subject to Title 18.02.115.8 (Outdoor Sales and Activities)					S	S	S	S	P		
√	Pawn shop						P		P	P		
√	Perfumery ["Retail"]			P	P	P	P		P	P		
√	Pet shop			S		P	P		P	P		
√	Pharmacy	S	[P] <u>S</u>	P		P	P	[A] <u>P</u>	P	P		
√	Pharmacy and drugstore [see "pharmacy"]			P	P	P	P		P	P		
	Photographic finishing, supplies and picture-framing ["Retail"]				P	P	P		P	P		
	Pumpkin sales ["Retail"]					P	P		P	P		
	Radio, stereo store ["Retail"]				P	P	P		P	P		
√	[Recreational vehicle and trailer sales (including rental)] [See "Automobile, RV and trailer sales."]					P	P	S	P	P		
√	Restaurant, no drive-through			S <sup>[1]</sup>	P	P	P	P	P	P		
√	Restaurant with drive-through				S	P	P	P	P	P		
√	Retail sales			<u>P</u>	P	<u>P</u>	<u>P</u>	[A/S] <u>P</u>	<u>P</u>	<u>P</u>		



## Chapter 18.04 - Commercial and Industrial Use Tables by Use Type

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Rubber and metal stamp, retail (shop-accessory) ["Retail"]				P	P	P		P	P		
	Satellite equipment sales ["Retail"]					P	P		P	P		
√	[Secondhand business] [See "thrift store"]						P		P	P		
√	Secondhand dealer				P	P	P	<u>P</u>	P	P		
	Sewing machine, retail and repair ["Retail"]			P	P	P	P		P	P		
	Shoe store ["Retail"]			P	P	P	P		P	P		
	Sporting goods store ["Retail"]			P	P	P	P		P	P		
	Stained glass (???)				P	P	P		P	P		
	Stamp shop ["Retail"]					P	P		P	P		
	Stationary store ["Retail"]			P	P	P	P		P	P		
	Street vendor (subject to development standards; limited to DTMU and RC)				P	S						
	Temporary outdoor display and sales subject to Title 18 (Outdoor Sales and Activities)			A	P	A	A	<u>A</u>	A	P		
	Thrift store						P		P	P		
	Tire sales, repair and mounting						P		P	P		
	Tobacco shop ["Retail"]			P		P	P		P	P		
	Toys, retail ["Retail"]			P	P	P	P		P	P		
	Upholstery (wholesale, retail, installation and incidental manufacturing)						P		P	P		
√	Variety store ["Retail"]			P		P	P		P	P		
√	Video sales and rental ["Retail"]			P		P	P		P	P		
	Wallpaper and interior decorating supplies ["Retail"]			S		P	P		P	P		
	Yarn shop ["Retail"]			P		P	P		P	P		

Footnotes:

[1. No alcohol sales.]

### Personal Services Uses

CCMC 18.03 (Definitions): "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, florist or other services of a similar nature as determined by the Director.

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Appliances repair shop					<u>P</u>	P		P	P		
√	Art studio [see "personal services"]				P	P	P		P	P		
√	Artist, commercial ["personal services"]				P	P	P		P	P		
√	Assayer ["personal services"]						P		P	P		
√	Astrologer, hypnotist, or psychic ["personal services"]				P	P	P		P	P		
√	Automobile rental					P	P	P	P	P		
√	Bank			P	P	P	P	<u>P</u>	P	P		
√	Barber shop	<u>P</u>	<u>P</u>	P	P	P	P	<u>P</u>	P	P		
√	Beauty shop	<u>P</u>	[S] <u>P</u>	P	P	P	P	[A] <u>P</u>	P	P		

**Chapter 18.04 - Commercial and Industrial Use Tables by Use Type**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Blood plasma donor center ["personal-services"]					P	P		P	P		
	Blueprint and photocopy service ["personal-services"]					P	P		P	P		
√	Body piercing ["personal-services"]					P	P		P	P		
√	Bookbinding ["personal-services"]						P		P	P		
√	Caterer				P	P	P	<u>P</u>	P	P		
√	Clinic	S	P	P	<u>P</u>	P	P	S	P	P		
√	Copy center ["personal-services"]					P	P		P	P		
√	Delivery service				P	P	P		P	P		
	Diaper service						P		P	P		
	Display designer ["personal-services"]						P		P	P		
√	Dry-cleaning ["personal-services"]			P		P	P		P	P		
√	Equipment rental (within a building)			S	S	P	P	<u>P</u>	P	P		
√	Esthetician	P	P	P	P	P	P	<u>P</u>	P	P		
	Express-office-[undefined]						P		P	P		
√	[Facial-cosmetic-shading, permanent] [Added in definition of "esthetician."]					S	P		P	P		
√	Gunsmith					P	P	<u>P</u>	P	P		
	Handyman repair shop ["personal-services"]			P		P	P		P	P		
	[Information kiosk] [See "office."]				P							
√	Interior decorator ["personal-services"]			P	P	P	P		P	P		
√	Janitor and building cleaning service					S	P		P	P		
√	Laboratory (medical, optical, or dental [or-veterinarian])	S	P	P		P	P	<u>P</u>	P	P		
√	Lapidary service ["personal-services"]					P	P		P	P		
√	Launderette (coin operated)			P		P	P	<u>P</u>	P	P		
√	Lithographer, screen printer ["personal-services"]						P		P	P		
√	Locksmith ["personal-services"]			P	P	P	P		P	P		
	[Mail order house] [See "warehouse."]				S	P	P		P	P		
	Mail services, parcel post, post boxes				P	P	P	<u>P</u>	P	P		
√	Massage therapy	P	P	P	P	P	P	<u>P</u>	P	P		
	Music studio			S		P	P	<u>P</u>	P	P		
√	Optician ["personal-services"]				P	P	P		P	P		
	Parcel-delivery-service, branch (off-street-loading-only) [see "delivery service"]						P		P	P		
√	Personal services			<u>P</u>	P	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>		
	Pet Grooming			S		P	P	<u>P</u>	P	P		
√	Pharmacy	S	P	P		P	P	A	P	P		
√	Photographer's studio ["personal-services"]			P	P	P	P		P	P		
√	Post office			P		P	P	<u>P</u>	P	P		
	Rental car facility [see "automobile rental"]							P				
√	Security service ["personal-services"]					P	P		P	P		
	Shoe repair ["personal-services"]			P	P	P	P		P	P		
√	Shoeshine stand ["personal-services"]			P	P	P	P		P	P		
	Tailoring ["personal-services"]			P	P	P	P		P	P		
√	Tattoo parlor					S	P		P	P		
√	Taxidermist						P		P	P		
	[Television repair store] [See "appliance repair.]					P	P		P	P		

## Chapter 18.04 - Commercial and Industrial Use Tables by Use Type

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Trade-center [undefined]							S				
√	Travel agency ["personal services"]			P		P	P	A	P	P		
	Watch repair ["personal services"]			P	P	P	P		P	P		
√	Wedding chapel				P	P	P	P	P	P		

### Office Uses

CCMC 18.03 (Definitions): "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, and which may include ancillary services for office workers, such as food services, newsstands, or other minor commercial establishments.

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Accounting and bookkeeping [see "office"]				P	P	P		P	P		
	Chemist, analytical and consulting ["office"]					P	P		P	P		
√	Community/regional commercial or office center (greater than 150,000 sq. ft.)				P	S	S	<u>S</u>	P	P		
	Credit bureau ["office"]					P	P		P	P		
	Detective or private investigation agency ["office"]				P	P	P		P	P		
√	Employment agency ["office"]					P	P		P	P		
	Mobilehome sales (office)					P	P	<u>P</u>	P	P		
	Newspaper print office					S	P		P	P		
√	Office	P	P	P	P	P	P	P	P	P		
√	Office (limited contact with general public)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P
	Temporary sales tract office [see "tract sales office, temporary"]	S	S	S		P	P		P	P		
	Telephone sales office ["office"]				P	P	P		P	P		
√	Tract sales office, temporary	S	S	S		P	P		P	P		

### Restaurant/Food Service Uses

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Cafeteria [see "restaurant"]					P	P		P	P		
√	Coffee shop ["restaurant"]			P	P	P	P		P	P		
√	Delicatessen ["restaurant"]			P	P	P	P		P	P		
√	Ice cream parlor ["restaurant"]			P	P	P	P		P	P		
	Juice bar ["restaurant"]				P	P	P		P	P		
√	Restaurant, no drive-through			S <sup>[1]</sup>	P	P	P	P	P	P		
√	Restaurant with drive-through				S	P	P	P	P	P		
√	Tea house ["restaurant"]	P	P	P	P	P	P		P	P		

Footnotes:

[1. No alcohol sales.]

### Lodging and Residential Uses

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Bed and breakfast inn				P		P	P	P	P		
√	Bed and Breakfast Inn (only within the Historic District)	S				S						

## Chapter 18.04 - Commercial and Industrial Use Tables by Use Type

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Boarding and Rooming House				P	P	P		P	P		
√	[Campground (30-day maximum stay)] [See "Recreational vehicle park or campground."]							P				
√	[Campground (180-day maximum stay)] [See "Recreational vehicle park or campground."]							S				
√	Congregate care housing			S		S	S					
√	Hotel				P	P	P	P	P	P		
√	Hotel <b>or motel</b> , residence (maximum 180 day stay)				S	S	S	P	P			
√	Mobilehome park					S	S					
√	Motel				S	P	P	P	P	P		
√	Recreational vehicle park <b>or campground</b> (30-day maximum stay)					S	S	P	P	P		
√	Recreational vehicle park <b>or campground</b> (180-day maximum stay)							S				
√	Residential, multi-family	S	P	S	P	S	S					
√	Residential, single-family	P	P	S	P	S	S					
√	Residential, two-family	P	P	S	P	S	S					
√	[Resort] [Individual uses permitted by zoning district, e.g. hotel.]							P				
√	Watchman's quarters							A		A	A	

### Other Commercial Uses

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Amusement arcade				S	S	P	<u>P</u>	P	P		
√	Amusement devices, sales and service				S	P	P		P	P		
√	<b>Animal boarding facility</b> [used in A & CR]						<u>S</u>		<u>S</u>	<u>S</u>		
√	Animal hospital						P		P	P		
	Appliances repair shop						P		P	P		
√	Art gallery	P	P	P	P	P	P	<u>P</u>	P	P		
√	Auction sales						P		P	P		
√	Automobile service station (gas, with minor maintenance and repair service, no body repair)			P	S	P	P	P	P	P		
√	Automobile wash			P		P	P	<u>P</u>	P	P		
√	Bus passenger depot/Transit passenger facility				P	S	P	<u>P</u>	P	P		
	Business operating continually between 8 PM and 6 AM or on a 24-hour basis			S	P	P	P	P	P	P	P	P
√	Child care facility/ <u>adult care facility</u>		S	S	S	S	S	S	S			
√	Child care facility (accessory to a business within the main building or within an accessory building)		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	S	S	S
√	Child care facility (accessory to residential use)	S										
√	Church	S	S	S	P	P	P		P			
√	Club, [ <del>supper and amusement</del> ] <b>service</b>				P	P	P		P	P		
√	Community clubhouse		P	P		P	P	<u>P</u>	P	P		
√	Community/regional commercial or office center (greater than 150,000 sq. ft.)				P	S	S	<u>S</u>	P	P		
√	Convention facility				<u>P</u>	<u>S</u>	<u>P</u>	P	<u>P</u>	<u>P</u>		

Chapter 18.04 - Commercial and Industrial Use Tables by Use Type

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Crematorium						S		P	P		
√	Engraver (trophies, jewelry, home plates) (no chemical or sandblasting processes permitted)					P	P		P	P		
	Express office						P		P	P		
√	Fraternal association				P	P	P		P	P		
√	Funeral home; mortuary	S	S	S		S	P		P	P		
	Gallery [see "art gallery"]				P							
√	Gaming (limited)			P	P	P	P	<u>P</u>	P	P		
√	Gaming (unlimited)				S	S	P	P	P	P		
	Home occupation	A	A	A	A	A	A					
√	Hospital					S	S		P	P		
√	Kennel					S	P		P	P		
√	Library, public or private		P	P	P	P	P	<u>P</u>	P	P		
√	Municipal building	S	S	P	P	P	P	<u>P</u>	P	P		
	Municipal well facility	S	S	S	S	S	S	S	S	P		P
√	Museum	P	P	P	P	P	P	P	P	P		
√	Nightclub						P	P	P	P		
√	Outside storage (accessory to a primary use)				S	A	A	<u>A</u>	A	P	A	A
	Parking lot or parking garage	A	A or S	A	A or S	P	P	<u>P</u>	P	P		
√	Personal storage retail/office complex subject to Division 1 and 1.10 personal storage of the development standards			S		S	P	S	P	P		
√	Personal storage within an enclosed building (no storage of paints or chemicals)						P	<u>S</u>	P	P	P	
	Plumbing and heating equipment and supplies						P		P	P		
√	Printer and/or publisher					S	P		P	P		
√	Private and public club [see "club, service"]							P				
	Public safety facilities (police or fire-substation or dispatch; no jail facilities) [see "municipal building"]				P							
√	Radio studio (no antennas)					P	P		P	P		
√	Recreational vehicle and trailer repair						<u>S</u>	S	<u>P</u>	<u>P</u>		
√	Recreational vehicle storage [-covered]							S	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u>
√	School, college or university				S	S	S					
√	School, K-12	S	S	S		S	S					
√	School, vocational				S	S	P			P		P
	Sign painting and lettering						P	<u>P</u>	P	P		
√	Storage containers (permanent) subject to Division 1 and 1.10 Personal Storage of the Development Standards					S	S	S	A	A	A	A
√	Storage containers (up to 90 days) subject to Division 1 and 1.10 Personal Storage of the Development Standards					A	A	A	A	A	A	A
	Taxi cab stand				P	P	P	<u>P</u>	P	P		
√	Theater				P	P	P	P	P	P		
	Trade center							S				
	[Transport/transfer cargo facility] [see "warehouse/distribution center"]							S				
	Truck rental or trailer rental					S	P	<u>S</u>	P	P		

## Chapter 18.04 - Commercial and Industrial Use Tables by Use Type

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Truck stop						<u>S</u>	S	<u>S</u>	P		
√	Utility substation	S	S	S	S	S	S	S	S	S	S	S
√	Veterinary clinic			S	P	S	P		P	P		
√	Warehouse/distribution center						P	<u>S</u>	P	P		
√	Wireless communication facility <sup>2</sup>	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S

2. See specific "wireless communication facility" process and design standards.

### Recreational Uses

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	[Archery range] [See "Outdoor recreation facility"]						P		P	P		
√	[Ballroom] [See "convention facility"]						P		P	P		
√	[Bowling alley] [See "Indoor recreation facility"]					P	P		P	P		
√	[Commercial amusement and recreation, indoor and outdoor] [See "indoor" and "outdoor recreation facilities."]							P				
√	Golf course [and driving range] [Driving range included in definition.]					S	S	P	S			
√	Health and fitness club			S	P	P	P	A	P	P		
√	Indoor sports and recreation facility					<u>S</u>	<u>P</u>	P	<u>P</u>	<u>P</u>		
√	[Miniature golf course] [See "Outdoor recreation facility."]					S	P		P			
√	Outdoor entertainment facility							P	<u>S</u>	<u>S</u>		
√	Outdoor recreational facility (public or private)						<u>S</u>	P	<u>P</u>	<u>P</u>		
√	Park	P	A	A	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
√	[Skating arena] [See "Indoor recreation facility."]					S	P		P	P		
	[Sport playing field] [See "Park."]						P		P	P		
√	[Tennis or swimming facility] [See "Outdoor recreation facility."]					S	P		P	P		
√	Youth Recreation Facility					S	S	<u>S</u>	P	P		

### Industrial Uses

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Acetylene manufacturing and sale									S		S
	Acid manufacturing and sales (including class H products)									S		S
√	Adult entertainment facility (no adult entertainment facility shall be located within one thousand									S		
	Airport accessory uses and support services										P	P
	Ambulance service and garage						S		P	P		
	Ammunition manufacturing									S		S
	An otherwise permitted 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.								X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>
	Assembly, fabricating and manufacturing of products and materials								P	P	P	P

**Chapter 18.04 - Commercial and Industrial Use Tables by Use Type**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Assembly of product incidental to sales use and limited to thirty percent (30%) of the primary uses floor area						P		P	P		
√	Asphalt manufacturing									S		S
√	Automobile body repair, painting, towing service and garage (vehicles must be stored within enclosed sight-obscured area). <sup>2</sup>						S <sup>2</sup>		S	P		
√	Automobile pawn (accessory to automobile sales)						A		P	P		
√	Automobile pawn (not accessory to automobile sales)						S		P	P		
√	Automobile wrecking yards									S		S
	Blacksmith									P		P
	Bottling plant/brewery facility								P	P		P
√	Building material ( <del>bulk</del> )/ <u>and</u> lumber storage yard <u>and</u> sales									P		P
	Bulk station (fuel)									S		S
√	Bus line office, service and storage garage						S		P	P		
	Butane, propane storage and sales									P		P
	Cabinet shop (manufacturing)						S		P	P		
	Cannery									P		P
	Cement or direct products sale									P		P
	Cesspool cleaner yard									P		P
√	Child care facility (accessory to a business within the main building or within an accessory building)									S	S	S
	Chemical manufacturing									S		S
	Chromium plating									S		S
	Coal and coke yard									S		S
√	Concrete batch plant									S		S
√	Contractor's <del>large</del> -equipment <u>yard</u> , sales, repair, supplies, or storage									P		P
	Contractor's wrecking yard									S		S
	Crane storage yard									P		P
√	[ <del>Crating and hauling depot or storage</del> ] [See "warehouse/distribution facility"]									P		P
	Creosote manufacturing									S		S
	Crop dusting equipment yard									P		P
	Die casting									P		P
	Disinfectant manufacturing									S		S
	Distillation of liquor									P		P
	Dog training school									P		P
	Dry cleaning plant									P		P
	Dump refuse or disposal yard									S		S
	Dye manufacturing									S		S
	Electroplating works									S		S
√	Equipment rental (outside storage)						S		P	P		
	Equipment storage yard									P		P
	Explosive manufacturing									S		S
√	Excavation/mining, gravel pit									S		S
	Farm products storage									P		P
√	Flea market (indoor)						S		S	P		S

## Chapter 18.04 - Commercial and Industrial Use Tables by Use Type

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Flea market (outdoor)									S		S
	Foundry									S		S
√	<b>Fuel storage tank facility</b> [also in PR]									<u>S</u>		<u>S</u>
√	Government facilities								S	P		P
	Grain elevator									P		P
	Grinding and sharpening of tools								P	P		
	Hide and tallow processing									S		S
	House mover									P		P
√	<b>Impound yard</b> [Also in PR.]								<u>S</u>	<u>P</u>		<u>P</u>
√	Incineration and reduction of garbage, offal, dead animals or refuse									S		S
	Industrial service firms									P		P
√	<u>Junk yard</u> <del>Junk dealer's yard</del>									S		S
√	Laboratories ( <del>chemist, veterinarian, and research</del> ) <b>manufacturing</b>									P		P
	Leather tanning									S		S
√	Loading space(s) within two hundred fifty (250) feet of a residential zoning district or use								S	S		S
	Lubrication compounds, manufacturing									S		S
√	Machine shop						<u>S</u>		<u>P</u>	P		P
√	Machine shop (limited to in-house products or internal use)						<u>S</u>		<u>P</u>	<u>P</u>	P	<u>P</u>
√	Manufacturing, fabricating and assembly of products and materials								P	P	P	P
√	Marijuana Distributor									S		S
√	Marijuana Cultivation Facility or Medical Marijuana Cultivation Facility, 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									S		S
√	Marijuana Product Manufacturing Facility or Medical Marijuana Product Manufacturing Facility, 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									S		S
√	Marijuana Testing Facility or Medical Marijuana Testing Facility, 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									S		S
	Matches, manufacturing									S		S
	Meat packer									S		S
√	Mechanical equipment building									A		A
	Metal ore reduction									S		S
	Metal working plant, plating, shaping and bending process									P		P
	Metallurgical lab								S	P		P
	Milling company									S		S
	Motorcycle race track									S		S
	Ore dump									S		S
	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									S		S
	Other uses not listed in Air Industrial Park 18.04.155.1 which, in the opinion of the planning										S	
√	Outside storage (as a primary permitted use)								S	P	S	P
	Oxygen manufacturing									S		S



**Chapter 18.04 - Commercial and Industrial Use Tables by Use Type**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Paint manufacturing									S		S
	Paving contractor large equipment, sales, service and storage									P		P
	Planing mill									P		P
	Plastic products manufacturing									S		S
	Power plant (electrical or gas)									P		
√	Quarry, stone									S		S
√	Radio studio or TV station with antenna towers									P		P
√	Recycling collection center						S		P	P		
√	Recycling operations center									P		P
	Rendering works									S		S
	Road building equipment sales and storage									P		P
	Rock crushing and stripping									S		S
	Scrap metal processing									S		S
	Septic tank service									P		P
	Sewer service equipment yard									S		S
	Sheet metal shop									P		P
	Slaughterhouse									S		S
	Stockyard									S		S
	Stone grinding									P		P
√	Storage containers (permanent) subject to Division 1 and 1.10 Personal Storage of the Development Standards					S	S	S	A	A	A	A
√	Storage containers (up to 90 days) subject to Division 1 and 1.10 Personal Storage of the Development Standards					A	A	A	A	A	A	A
	Tannery									S		S
	Termite or pest control									P		P
	Tire manufacturing									S		S
	Tire rebuilding, retreading									P		P
	Topsoil stripping									S		S
	Tractor service									P		P
	Tree service									P		P
	Truck depot, parking, repair									P		P
√	Truck stop							S		P		
√	Warehouse/distribution center						P		P	P		
	Water, oil, gas or geothermal drilling operations									S		S
	Welding shop									P		P
	Welding supplies and gases (retail and wholesale sales) (no filling or repair of cylinders)						S		S	P		P
	Wood storage yard, screened									P		P

Footnotes:

1. Any use or structure that is otherwise permitted under the zoning ordinance but is prohibited under federal law or regulation is prohibited on any property that shares any portion of a boundary with the Carson City Airport.
2. Required minimum land area in the GC District for auto body repair is twelve thousand (12,000) square feet; vehicles must be stored within enclosed sight-obscured area

## Chapter 18.04 - Agriculture and Conservation Reserve Districts Use Tables

P = Permitted as a primary use

S = Special Use Permit required (conditional use)

√ = Defined in Section 18.03 (Definitions)

A = Permitted accessory to a Permitted use

Blank = Prohibited

Use	A	CR
√ <del>[Accessory farm structure]</del> [See "Farm structure"]	<del>P</del>	<del>P</del>
√ Accessory structure	A	A
√ Agricultural services	S	S
√ Agricultural use	P	P
√ Animal boarding facility	S	S
√ <b>Animal shelter</b>	<b><u>S</u></b>	<b><u>S</u></b>
√ Animals and fowl	P	P
<del>[Barn or stable]</del> [See "Accessory farm structure"]	<del>P</del>	
√ Cemetery		S
√ Child care facility/Adult care facility	S	S
√ Church	S	S
√ <b>Conservation and wildlife sancuary</b>	<b><u>S</u></b>	<b><u>P</u></b>
<del>[Crop production (commercial)]</del> [See "Agricultural use"]	<del>P</del>	
<del>[Domestic and agricultural well]</del> [See "Residential" or "Agricultural" use]	<del>A</del>	<del>A</del>
√ <b>Equestrian center</b>	<b><u>S</u></b>	<b><u>S</u></b>
√ Extraction operation		S
√ <b>Farm structure</b> [Replaces "Accessory farm structure"]	<b><u>P</u></b>	<b><u>P</u></b>
<del>[Fire protection facility]</del> [Undefined]		<del>P</del>
Flood control facility/storm drain protection devices	P	P
√ Fraternal association		S
√ Guest building	A	A
√ Livestock raising	P	<b><u>P</u></b>
Municipal well facility	S	S
Oil, gas or geothermal drilling operation	S	S
√ Outdoor recreational facility (public or private)	S	S
√ Park	P	P
Ranch and farm hand living quarters/bunkhouses including seasonal housing	S	
√ Recreational vehicle park <b>or campground</b>	S	S
Residential (limited to 1 dwelling per 20 acres or larger)	P	P
√ Utility substation	S	S
√ Veterinary clinic	S	
Watchman's quarters	A	A
√ Water storage facility		P
Winery	P	
√ Wireless communications facility <sup>1</sup>	P/S	P/S

Footnotes:

1. See specific "wireless communication facility" process and design standards.

## Chapter 18.04 - Public Districts Use Tables

P = Permitted as a primary use

S = Special Use Permit required (conditional use)

√ = Defined in Section 18.03 (Definitions)

A = Permitted accessory to a Permitted use

Blank = Prohibited

	Use	P	PN	PC	PR
√	<b><u>Agricultural use</u></b>				<u>S</u>
	Airports/heliports				S
√	Animal shelter	<u>S</u>		<u>S</u>	S
	[Archaeological heritage/cultural resource] [Undefined]				S
	Buildings and facilities owned, leased or operated by the city of Carson City, Carson City unified school district or any other district, state of Nevada or the government of the United States	S	S	S	S
√	Bus [terminal/station] <b><u>passenger depot/transit passenger facility</u></b>	<u>S</u>	<u>S</u>	<u>S</u>	S
√	Cemetery	S		S	S
√	Child care facility/Adult care facility	S	S	S	S
√	Civic auditorium and theater	S		S	S
√	Clinic	<u>S</u>	<u>S</u>	<u>S</u>	S
√	Community institution (non-profit)	<u>S</u>	<u>S</u>	<u>S</u>	S
	[Communication antenna/tower] [See "Wireless communication facility"]				S
√	Congregate care housing [ <del>/senior citizen home</del> ]	<u>S</u>		<u>S</u>	S
√	Conservation and wildlife sanctuary				S
√	Convention facility				S
	Corporate yard	<u>S</u>		<u>S</u>	S
√	Equestrian center				S
√	Fairground/theme park				S
	[Farm] [See "Agricultural use"]				S
√	Farmer's market	<u>S</u>	<u>S</u>	<u>S</u>	S
√	Fire station	<u>S</u>		S	
	[Flood control facility/storm drain protection devices] [See "Buildings and facilities" operated by a government agency, above.]				S
	[Forest area]				S
√	Fuel storage tank facility				S
√	Golf course [ <del>/driving range/club house</del> ]				S
	[Historical site] [Not defined; established by specific use type.]	S	S	S	S
√	Hospital	S		S	S
√	Impound yard				S
	[Institutional use] [See "Building and facilities" above]				S
√	Library	S	S	S	S
	[Maintenance garage] [See "Municipal garage"]				S
	Military site	S			S
√	Municipal garage				S
	[Municipal training facility] [See "Building and facilities" above]				S
	Municipal well facility	S	S	S	S
√	Museum	S		S	S
	Noise attenuation barrier				S
√	Nursery [ <del>/public</del> ]				S
√	[Offices] [See "Building and facilities" above]	S	S	S	S
√	[Open space]				S
√	<b><u>Outdoor recreation</u></b>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
√	Outside storage	<u>S</u>	<u>S</u>	<u>S</u>	S
√	Park	S	S	S	S
	Parking lot, public	S	S	S	S

## Chapter 18.04 - Public Districts Use Tables

P = Permitted as a primary use

S = Special Use Permit required (conditional use)

√ = Defined in Section 18.03 (Definitions)

A = Permitted accessory to a Permitted use

Blank = Prohibited

Use	P	PN	PC	PR
Pavilion/stadium				S
<del>[Performing arts center, public] [See "Civic auditorium and theater"]</del>				<del>S</del>
Prison				S
√ Public utility building				S
<del>[Public water supply] [See "Water storage facility"]</del>				<del>S</del>
√ Quarry/extraction site				S
√ <del>[Radio station/TV station tower] [See "Wireless communication facility"]</del>				<del>S</del>
√ Recreational vehicle park <b>or campground</b>	S			<del>S</del>
<del>[Resource management use/groundwater recharge use] [See "Building and facilities" above]</del>			S	S
√ School	S		S	S
√ Schools, (elementary and middle)		S		
<del>[Senior center] [See "Building and facilities" above]</del>			S	
√ <del>[Sewage works facility] [See "Wastewater treatment facility"]</del>				<del>S</del>
√ Sheriff's office and jail			S	
<del>[Sheriff's substation] [See "Building and facilities" above]</del>		S		
√ <del>[Social services center/facility offices] [See "Community institution (non-profit)" or "Buildings and facilities"]</del>				<del>S</del>
<del>[Special complementary uses] [Undefined]</del>				<del>S</del>
<del>[Sport playing field] [See "Park"]</del>				<del>S</del>
<del>[Storage] [See "Outside storage"]</del>	S	S	S	S
Storage containers	S	S	S	S
<del>[Storm drainage and floodplain devices] [See "Building and facilities" above]</del>		S	S	S
√ Summer camp	<del>S</del>	<del>S</del>	<del>S</del>	S
<del>[Swimming pool] [See "Outdoor recreation"]</del>			S	
<del>[Tennis court complex] [See "Outdoor recreation"]</del>				<del>S</del>
√ Transfer station/sanitary landfill				S
<del>[Utility easement] [Not a use]</del>			S	S
<del>[Utility facilities] [See "Building and facilities" above]</del>			S	S
√ Utility substation	S		S	S
√ Warehouse				S
<del>[Waste disposal area/site facility] [See "Transfer station/sanitary landfill"]</del>				<del>S</del>
√ Wastewater treatment facility <del>[/Sewage works facility]</del>	S			S
Watchman's quarters				S
Water, oil, gas or geothermal drilling operations	S			S
√ Water <b>storage</b> facility [Term as used in definitions]	<del>S</del>		<del>S</del>	S
<del>[Water tank] [See "Water storage facility"]</del>				<del>S</del>
<del>[Wilderness area]</del>				<del>S</del>
√ Wildlife park/preserves/habitat area				S
√ Wind energy conversion facility				S
√ Wireless communications facility <sup>1</sup>	P/S	P/S	P/S	P/S
√ Zoo				S

Footnotes:

1. See specific "wireless communication facility" process and design standards.

## Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)

P = Permitted as a primary use

S = Special Use Permit required (conditional use)

√ = Defined in Section 18.03 (Definitions)

A = Permitted accessory to a Permitted use

Blank = Prohibited

### Retail Uses

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Adult merchandise retail establishment (per Development Standards 1.19)					P	P		P	P		
√	Amusement devices, sales and service				S	P	P		P	P		
√	Antiques, retail			P	P	P	P	[A] P	P	P		
√	Automobile parts, tires and accessories			S		P	P		P	P		
√	Automobile, <b>recreational vehicle or trailer</b> retail, new or used					P	P	<u>P</u>	P	P		
√	Bar			S	P	S	P	<u>P</u>	P	P		
√	Brew pub				P	P	P	<u>P</u>	P	P		
√	Building materials (indoor only)					S	P		P	P		
	Carpet and floor coverings					P	P		P	P		
√	Ceramic products with kiln				P	P	P		P	P		
√	Collectibles store			<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P		
√	Farmers market				P	S	S	<u>S</u>	P	P		
√	Flea market (outdoor)									S		S
√	Flea market (indoor)						S	<u>S</u>	S	P		P
√	Greenhouse			P		P	P	<u>P</u>	P	P		
	Motorcycle Sales, Service and Accessories					P	P		P	P		
√	Marijuana Retail Store or Medical Marijuana Dispensary, 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)						S			S		
√	Outdoor sales, permanent, subject to Title 18.02.115.8 (Outdoor Sales and Activities)					S	S	S	S	P		
√	Pawn shop						P		P	P		
√	Pet shop			S		P	P		P	P		
√	Pharmacy	S	[P] <u>S</u>	P		P	P	[A] <u>P</u>	P	P		
√	Restaurant, no drive-through			S <sup>[1]</sup>	P	P	P	P	P	P		
√	Restaurant with drive-through				S	P	P	P	P	P		
√	Retail sales			<u>P</u>	P	<u>P</u>	<u>P</u>	[A/S] <u>P</u>	<u>P</u>	<u>P</u>		
√	Secondhand dealer				P	P	P	<u>P</u>	P	P		
	Street vendor (subject to development standards; limited to DTMU and RC)				P	S						
	Temporary outdoor display and sales subject to Title 18 (Outdoor Sales and Activities)			A	P	A	A	<u>A</u>	A	P		
	Thrift store						P		P	P		
	Tire sales, repair and mounting						P		P	P		
	Upholstery (wholesale, retail, installation and incidental manufacturing)						P		P	P		

Footnotes:

[1. No alcohol sales.]

**Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)**

Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
<b>Personal Services Uses</b>											
Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
Appliances repair shop					<u>P</u>	P		P	P		
√ Automobile rental					P	P	P	P	P		
√ Bank			P	P	P	P	<u>P</u>	P	P		
√ Barber shop	<u>P</u>	<u>P</u>	P	P	P	P	<u>P</u>	P	P		
√ Beauty shop	<u>P</u>	[S] <u>P</u>	P	P	P	P	[A] <u>P</u>	P	P		
√ Caterer				P	P	P	<u>P</u>	P	P		
√ Clinic	S	P	P	<u>P</u>	P	P	S	P	P		
√ Delivery service				P	P	P		P	P		
Diaper service						P		P	P		
√ Equipment rental (within a building)			S	S	P	P	<u>P</u>	P	P		
√ Esthetician	P	P	P	P	P	P	<u>P</u>	P	P		
√ Gunsmith					P	P	<u>P</u>	P	P		
√ Janitor and building cleaning service					S	P		P	P		
√ Laboratory (medical, optical, <u>or</u> dental [ <u>or</u> veterinarian])	S	P	P		P	P	<u>P</u>	P	P		
√ Launderette (coin operated)			P		P	P	<u>P</u>	P	P		
Mail services, parcel post, post boxes				P	P	P	<u>P</u>	P	P		
√ Massage therapy	P	P	P	P	P	P	<u>P</u>	P	P		
Music studio			S		P	P	<u>P</u>	P	P		
√ Personal services			<u>P</u>	P	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>		
Pet Grooming			S		P	P	<u>P</u>	P	P		
√ Pharmacy	S	P	P		P	P	A	P	P		
√ Post office			P		P	P	<u>P</u>	P	P		
√ Tattoo parlor					S	P		P	P		
√ Taxidermist						P		P	P		
√ Wedding chapel				P	P	P	P	P	P		

**Office Uses**

Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√ Community/regional commercial or office center (greater than 150,000 sq. ft.)				P	S	S	<u>S</u>	P	P		
Mobilehome sales (office)					P	P	<u>P</u>	P	P		
Newspaper print office					S	P		P	P		
√ Office	P	P	P	P	P	P	P	P	P		
√ Office (limited contact with general public)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P
√ Tract sales office, temporary	S	S	S		P	P		P	P		

**Lodging and Residential Uses**

Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√ Bed and breakfast inn				P		P	P	P	P		
√ Bed and Breakfast Inn (only within the Historic District)	S				S						
√ Boarding and Rooming House				P	P	P		P	P		
√ Congregate care housing			S		S	S					
√ Hotel				P	P	P	P	P	P		
√ Hotel <u>or</u> motel, residence (maximum 180 day stay)				S	S	S	P	P			
√ Mobilehome park					S	S					

**Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Motel				S	P	P	P	P	P		
√	Recreational vehicle park <u>or campground</u> (30-day maximum stay)					S	S	P	P	P		
√	Recreational vehicle park <u>or campground</u> (180-day maximum stay)							S				
√	Residential, multi-family	S	P	S	P	S	S					
√	Residential, single-family	P	P	S	P	S	S					
√	Residential, two-family	P	P	S	P	S	S					
√	Watchman's quarters							A		A	A	

**Other Commercial Uses**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√	Amusement arcade				S	S	P	<u>P</u>	P	P		
√	Amusement devices, sales and service				S	P	P		P	P		
√	<u>Animal boarding facility</u> [used in A & CR]						<u>S</u>		<u>S</u>	<u>S</u>		
√	Animal hospital						P		P	P		
	Appliances repair shop						P		P	P		
√	Art gallery	P	P	P	P	P	P	<u>P</u>	P	P		
√	Auction sales						P		P	P		
√	Automobile service station (gas, with minor maintenance and repair service, no body repair)			P	S	P	P	P	P	P		
√	Automobile wash			P		P	P	<u>P</u>	P	P		
√	Bus passenger depot/Transit passenger facility				P	S	P	<u>P</u>	P	P		
	Business operating continually between 8 PM and 6 AM or on a 24-hour basis			S	P	P	P	P	P	P	P	P
√	Child care facility/adult care facility		S	S	S	S	S	S	S			
√	Child care facility (accessory to a business within the main building or within an accessory building)		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	S	S	S
√	Child care facility (accessory to residential use)	S										
√	Church	S	S	S	P	P	P		P			
√	Club, [ <del>supper and amusement</del> ] <u>service</u>				P	P	P		P	P		
√	Community clubhouse		P	P		P	P	<u>P</u>	P	P		
√	Community/regional commercial or office center (greater than 150,000 sq. ft.)				P	S	S	<u>S</u>	P	P		
√	Convention facility				<u>P</u>	<u>S</u>	<u>P</u>	P	<u>P</u>	<u>P</u>		
√	Crematorium						S		P	P		
√	Engraver					P	P		P	P		
√	Fraternal association				P	P	P		P	P		
√	Funeral home; mortuary	S	S	S		S	P		P	P		
√	Gaming (limited)			P	P	P	P	<u>P</u>	P	P		
√	Gaming (unlimited)				S	S	P	P	P	P		
	Home occupation	A	A	A	A	A	A					
√	Hospital					S	S		P	P		
√	Kennel					S	P		P	P		
√	Library, public or private		P	P	P	P	P	<u>P</u>	P	P		
√	Municipal building	S	S	P	P	P	P	<u>P</u>	P	P		
	Municipal well facility	S	S	S	S	S	S	<u>S</u>	S	P		P
√	Museum	P	P	P	P	P	P	P	P	P		
√	Nightclub						P	P	P	P		

**Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)**

Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√ Outside storage (accessory to a primary use)				S	A	A	<u>A</u>	A	P	A	A
Parking lot or parking garage	A	A or S	A	A or S	P	P	<u>P</u>	P	P		
√ Personal storage retail/office complex subject to Division 1 and 1.10 personal storage of the development standards			S		S	P	S	P	P		
√ Personal storage within an enclosed building (no storage of paints or chemicals)						P	<u>S</u>	P	P	P	
Plumbing and heating equipment and supplies						P		P	P		
√ Printer and/or publisher					S	P		P	P		
√ Radio studio (no antennas)					P	P		P	P		
√ Recreational vehicle and trailer repair						<u>S</u>	S	<u>P</u>	<u>P</u>		
√ Recreational vehicle storage [ <del>covered</del> ]							S	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u>
√ School, college or university				S	S	S					
√ School, K-12	S	S	S		S	S					
√ School, vocational				S	S	P			P		P
Sign painting and lettering						P	<u>P</u>	P	P		
√ Storage containers (permanent) subject to Division 1 and 1.10 Personal Storage of the Development Standards					S	S	S	A	A	A	A
√ Storage containers (up to 90 days) subject to Division 1 and 1.10 Personal Storage of the Development Standards					A	A	A	A	A	A	A
Taxi cab stand				P	P	P	<u>P</u>	P	P		
√ Theater				P	P	P	P	P	P		
Truck rental or trailer rental					S	P	<u>S</u>	P	P		
√ Truck stop						<u>S</u>	S	<u>S</u>	P		
√ Utility substation	S	S	S	S	S	S	S	S	S	S	S
√ Veterinary clinic			S	P	S	P	<u>S</u>	P	P		
√ Warehouse/distribution center						P	<u>S</u>	P	P		
√ Wireless communication facility <sup>2</sup>	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S

2. See specific "wireless communication facility" process and design standards.

**Recreational Uses**

Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
√ Golf course [ <del>and driving range</del> ] [Driving range included in definition.]					S	S	P	S			
√ Health and fitness club			S	P	P	P	A	P	P		
√ Indoor sports and recreation facility					<u>S</u>	<u>P</u>	P	<u>P</u>	<u>P</u>		
√ Outdoor entertainment facility							P	<u>S</u>	<u>S</u>		
√ Outdoor recreational facility (public or private)					<u>S</u>	<u>S</u>	P	<u>P</u>	<u>P</u>		
√ Park	P	A	A	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
√ Youth Recreation Facility					S	S	<u>S</u>	P	P		

**Industrial Uses**

Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
Acetylene manufacturing and sale									S		S



**Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
	Acid manufacturing and sales (including class H products)									S		S
√	Adult entertainment facility (no adult entertainment facility shall be located within one thousand									S		
	Airport accessory uses and support services										P	P
	Ambulance service and garage						S		P	P		
	Ammunition manufacturing									S		S
	An otherwise permitted 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.								X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>
	Assembly, fabricating and manufacturing of products and materials								P	P	P	P
	Assembly of product incidental to sales use and limited to thirty percent (30%) of the primary uses floor area						P		P	P		
√	Asphalt manufacturing									S		S
√	Automobile body repair, painting, towing service and garage (vehicles must be stored within enclosed sight-obscured area). <sup>2</sup>						S <sup>2</sup>		S	P		
√	Automobile pawn (accessory to automobile sales)						A		P	P		
√	Automobile pawn (not accessory to automobile sales)						S		P	P		
√	Automobile wrecking yards									S		S
	Blacksmith									P		P
	Bottling plant/brewery facility								P	P		P
√	Building material ( <del>bulk</del> )- <del>and</del> lumber storage yard <del>and</del> sales									P		P
	Bulk station (fuel)									S		S
√	Bus line office, service and storage garage						S		P	P		
	Butane, propane storage and sales									P		P
	Cabinet shop (manufacturing)						S		P	P		
	Cannery									P		P
	Cement or direct products sale									P		P
	Cesspool cleaner yard									P		P
√	Child care facility (accessory to a business within the main building or within an accessory building									S	S	S
	Chemical manufacturing									S		S
	Chromium plating									S		S
	Coal and coke yard									S		S
√	Concrete batch plant									S		S
√	Contractor's large-equipment yard, sales, repair, supplies, or storage									P		P
	Contractor's wrecking yard									S		S
	Crane storage yard									P		P
√	Crating and hauling depot or storage									P		P
	Creosote manufacturing									S		S
	Crop dusting equipment yard									P		P
	Die casting									P		P
	Disinfectant manufacturing									S		S
	Distillation of liquor									P		P

**Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)**

Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA
Dog training school									P		P
Dry cleaning plant									P		P
Dump refuse or disposal yard									S		S
Dye manufacturing									S		S
Electroplating works									S		S
√ Equipment rental (outside storage)						S		P	P		
Equipment storage yard									P		P
Explosive manufacturing									S		S
√ Excavation/mining, gravel pit									S		S
Farm products storage									P		P
√ Flea market (indoor)						S		S	P		S
√ Flea market (outdoor)									S		S
Foundry									S		S
√ <b>Fuel storage tank facility</b> [also in PR]									<u>S</u>		<u>S</u>
√ Government facilities								S	P		P
Grain elevator									P		P
Grinding and sharpening of tools								P	P		
Hide and tallow processing									S		S
House mover									P		P
√ <b>Impound yard</b> [Also in PR.]								<u>S</u>	<u>P</u>		<u>P</u>
√ Incineration and reduction of garbage, offal, dead animals or refuse									S		S
Industrial service firms									P		P
√ <b>Junk yard</b> [ <del>Junk dealer's yard</del> ]									S		S
√ Laboratories ( <del>chemist, veterinarian, and research</del> ) <b>manufacturing</b>									P		P
Leather tanning									S		S
√ Loading space(s) within two hundred fifty (250) feet of a residential zoning district or use								S	S		S
Lubrication compounds, manufacturing									S		S
√ Machine shop						<u>S</u>		<u>P</u>	P		P
√ Machine shop (limited to in-house products or internal use)						<u>S</u>		<u>P</u>	<u>P</u>	P	<u>P</u>
√ Manufacturing, fabricating and assembly of products and materials								P	P	P	P
√ Marijuana Distributor									S		S
√ Marijuana Cultivation Facility or Medical Marijuana Cultivation Facility, 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									S		S
√ Marijuana Product Manufacturing Facility or Medical Marijuana Product Manufacturing Facility, 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									S		S
√ Marijuana Testing Facility or Medical Marijuana Testing Facility, 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									S		S
Matches, manufacturing									S		S
Meat packer									S		S
√ Mechanical equipment building									A		A
Metal ore reduction									S		S

**Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)**

	Use	RO	GO	NB	DTMU	RC	GC	TC	LI	GI	AIP	GIA	
	Metal working plant, plating, shaping and bending process									P		P	
	Metallurgical lab								S	P		P	
	Milling company									S		S	
	Motorcycle race track									S		S	
	Ore dump									S		S	
	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										S		S
	Other uses not listed in Air Industrial Park 18.04.155.1 which, in the opinion of the planning											S	
√	Outside storage (as a primary permitted use)								S	P	S	P	
	Oxygen manufacturing									S		S	
	Paint manufacturing									S		S	
	Paving contractor large equipment, sales, service and storage									P		P	
	Planing mill									P		P	
	Plastic products manufacturing									S		S	
	Power plant (electrical or gas)									P			
√	Quarry, stone									S		S	
√	Radio studio or TV station with antenna towers									P		P	
√	Recycling collection center						S		P	P			
√	Recycling operations center									P		P	
	Rendering works									S		S	
	Road building equipment sales and storage									P		P	
	Rock crushing and stripping									S		S	
	Scrap metal processing									S		S	
	Septic tank service									P		P	
	Sewer service equipment yard									S		S	
	Sheet metal shop									P		P	
	Slaughterhouse									S		S	
	Stockyard									S		S	
	Stone grinding									P		P	
√	Storage containers (permanent) subject to Division 1 and 1.10 Personal Storage of the Development Standards					S	S	S	A	A	A	A	
√	Storage containers (up to 90 days) subject to Division 1 and 1.10 Personal Storage of the Development Standards					A	A	A	A	A	A	A	
	Tannery									S		S	
	Termite or pest control									P		P	
	Tire manufacturing									S		S	
	Tire rebuilding, retreading									P		P	
	Topsoil stripping									S		S	
	Tractor service									P		P	
	Tree service									P		P	
	Truck depot, parking, repair									P		P	
√	Truck stop							S		P			
√	Warehouse/distribution center						P		P	P			
	Water, oil, gas or geothermal drilling operations									S		S	
	Welding shop									P		P	

**Chapter 18.04 - Commercial and Industrial Use Tables (Deleted Uses Removed)**

	<b>Use</b>	<b>RO</b>	<b>GO</b>	<b>NB</b>	<b>DTMU</b>	<b>RC</b>	<b>GC</b>	<b>TC</b>	<b>LI</b>	<b>GI</b>	<b>AIP</b>	<b>GIA</b>
	Welding supplies and gases (retail and wholesale sales) (no filling or repair of cylinders)						S		S	P		P
	Wood storage yard, screened									P		P

Footnotes:

1. Any use or structure that is otherwise permitted under the zoning ordinance but is prohibited under federal law or regulation is prohibited on any property that shares any portion of a boundary with the Carson City Airport.
2. Required minimum land area in the GC District for auto body repair is twelve thousand (12,000) square feet; vehicles must be stored within enclosed sight-obscured area

*[Staff note: This copy shows the text as it would read with the proposed amendments as shown on the "marked copy" version of the changes.]*

## **Chapter 18.02 - ADMINISTRATIVE PROVISIONS**

### **18.02.005 - Short title.**

This title shall be known and may be cited in all proceedings as the Carson City Zoning Ordinance.  
(Ord. 2001-23 § 2 (part), 2001).

### **18.02.007 - Power of the Board—Zoning and planning.**

1. The Board may:
  - (a) Divide Carson City into districts and regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land within those districts;
  - (b) Adopt master plans for Carson City which will serve as a pattern and guide for the kind of orderly physical growth and development of the city that will minimize impairment of the city's natural resources; and
  - (c) Establish and adopt ordinances and regulations relating to the subdivision of land.
2. The Board shall carry out the provisions of subsection 1 in the manner prescribed by Chapters 278 and 278A of NRS.  
(Ord. 2001-23 § 2 (part), 2001).

### **18.02.010 - Planning Commission: Creation; duties; appointment, terms and removal of members; compensation.**

1. There is hereby created the Carson City Planning Commission pursuant to NRS 278.030.
2. In accordance with NRS 278.010 to 278.630, inclusive, and the provisions of CCMC, the Commission shall perform all duties that are required and may exercise all powers which have been granted.
3. The Commission must be composed of seven members, appointed by the Mayor from Carson City at large with the approval of the Board as required by NRS 278.030 and 278.040 and in accordance with the Policies and Procedures of the Carson City, Nevada Boards, Committees, and Commissions adopted by the Board, as may be amended.
4. The term of each member is 4 years, or until his or her successor takes office. A vacancy on the Commission that occurs other than through the expiration of a member's term must be filled for the unexpired term in the same manner provided in subsection 3.
5. Each member appointed to the Commission pursuant to this section must continuously reside and be registered to vote in Carson City throughout his or her term in office.
6. The members of the Commission shall elect a Chair and Vice-Chair by majority vote each year. Pursuant to NRS 278.060 and subject to any additional limitations set forth in the Policies and Procedures of the Carson City, Nevada Boards, Committees, and Commissions adopted by the Board, as may be amended, each term of Chair and Vice-Chair is one year, with eligibility for reelection.
7. A member of the Commission may be removed, after a public hearing, by a majority vote of the Board for just cause, including, without limitation, for any of the following conduct:
  - (a) Inefficiency;
  - (b) Neglect of duty;
  - (c) Malfeasance; or
  - (d) Violation of any provision set forth in the Policies and Procedures of the Carson City, Nevada Boards, Committees, and Commissions adopted by the Board, as may be amended.
8. The members of the Commission shall serve without compensation.  
(Ord. 2018-3, 2018).

**18.02.011 - Meetings; records.**

The Commission shall:

1. Hold at least 1 regular meeting in each month;
  2. Adopt bylaws and rules for the transaction of business; and
  3. Keep a complete record of its resolutions, transactions, findings and determinations, all of which constitute a public record and must be maintained by the Department.
- (Ord. 2018-3, 2018).

**18.02.012 - Commission actions; appeal to Board; attendance of Director.**

1. On any matter properly before the Commission and on which the Commission has taken final action, the action may be appealed to the Board by the proponent of the action, any party aggrieved by the action or any member of the Board pursuant to CCMC 18.02.060.

2. On any matter properly before the Commission and on which the Commission has made a recommendation for action to the Board, the approval or denial of the matter by majority vote of the Board shall be deemed to be the final action, unless the matter is remanded to the Commission by the Board for further consideration.

3. The Director or his or her designee shall attend each meeting of the Commission.

(Ord. 2018-3, 2018).

**18.02.015 - Purpose.**

The purpose of title 18 of CCMC is to promote the health, safety and general welfare of Carson City's citizens by providing appropriate and reasonable controls for the development and use of lands in Carson City, while also protecting the rights of property owners. This title also intends to:

1. Implement the goals, policies and strategies adopted in the Carson City Master Plan and its elements through effective implementation of development review requirements;
2. Establish a system of comprehensive, consistent and equitable regulations, standards and procedures for the review and approval of all proposed land development within the city;
3. Implement the process oriented standards located in this title;
4. Implement design-oriented standards contained in the development standards which is parallel authority to this title;
5. Facilitate adequate provision of transportation, water, sewerage, and other public facility requirements; and
6. Provide the economic and social advantages gained from a comprehensively planned use of land resources.

(Ord. 2001-23 § 2 (part), 2001).

**18.02.020 - Administration of title 18 of CCMC.**

The Director shall administer this title.

(Ord. 2001-23 § 2 (part), 2001).

**18.02.025 - Jurisdiction, interpretation and application.**

The provisions and standards contained in this title, as well as the standards contained in the development standards, shall be deemed to be minimum standards with which compliance is essential to the permitted uses, and shall not be construed as limiting the legislative discretion of the Board to further restrict the permissive uses or to withhold or revoke permits for uses when the protection of the public health, morals, safety, welfare and residential neighborhoods is necessary. Except as otherwise noted as exceptions in title 18, the requirements of title 18 and the corresponding development standards of title 18 Appendix A shall apply to all properties within Carson City.

1. When this title imposes a greater restriction upon the use of land, or upon height, bulk, location or use of buildings than is required by existing provisions of law or by private covenant or other restriction, the provisions of this title shall prevail. Private covenants or deed restrictions which impose

more restrictive conditions than herein contained are not superseded by this title but are separate from the provisions of this title and are not enforced by this title.

2. Rules of Interpretation. In interpreting the language of this title, the rules set out in this subchapter shall be observed unless the interpretation would be inconsistent with the expressed language of this title.

3. Text Controls. In case of any conflict between the text of this title and any figure, the text shall control.

4. Computation of Time. The time within which an act is to be performed shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or legal holiday, the period runs until the next day which is not a Saturday, Sunday, or legal holiday. The following time-related words shall have the meanings ascribed below:

- (a) "Day" means a calendar day unless otherwise stated.
- (b) "Week" means 7 calendar days.
- (c) "Month" means 1 calendar month.
- (d) "Year" means a calendar year, unless a fiscal year is indicated.

5. Other Clarifications.

(a) Headings. The headings contained in this title are for convenience only and do not limit or modify the intent or meaning of the provisions.

(b) Tense. Unless clearly indicated to the contrary, words used in the present tense shall include the future, words used in the plural shall include the singular, words used in the singular shall include the plural, and words of one gender shall include the other.

(c) Use of Certain Words. The words "shall," "must," and "will" are always mandatory. The terms "may" and "should" are discretionary. Words and phrases shall be construed according to the common and approved usage in the language, except for technical words and phrases that may have acquired a peculiar and appropriate meaning as may be specifically defined within this title.

(d) Conjunctions. Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:

- (1) "And" indicates that all connected items or provisions apply; and
- (2) "Or" indicates that the connected items or provisions may apply singularly or in any combination.

6. Delegation of Authority. Whenever reference is made to the head of a department or to some other City officer or employee, the reference shall be construed as authorizing the head of the department or other officer to designate, delegate to and authorize subordinates to perform the required act or duty, unless expressly provided otherwise.

7. Amendments to this title may create nonconforming uses. In this instance, standards from the previous code still apply to property made nonconforming by the amended code. All applications and permits that have been filed and are in process of review and approval, or when construction is occurring at the time of zoning changes to this title, will be reviewed and approved under the terms of the previous title 18 in effect at the time of application. The expansion of a nonconforming use or the development of a new use on a nonconforming property shall only be done in accordance with the provisions of this title. (Ord. 2001-23 § 2 (part), 2001).

#### **18.02.030 - Enforcement.**

It is unlawful for any person, firm or corporation, whether as a principal, agent, employee, or otherwise (hereinafter referred to as "party"), to construct, build, convert, alter, erect or maintain a building, structure or any use of property, equipment, or operation in violation of a provision of this title. Any use contrary to this title is a misdemeanor offense as defined in CCMC 1.08 (Misdemeanor Declared) and a public nuisance. The following procedure shall apply to enforce the provisions of this title:

1. In the event of a violation of this title, the Director may deliver to any party in violation of this title an order to comply with the provision of this title in a time period up to 30 days from the issuance of the order to comply, at the Director's discretion.

2. Upon failure of any party in violation of this title to comply with the order described above, the Director is authorized and empowered to prepare, sign, and serve a criminal misdemeanor citation for the violation. A party is guilty of a separate offense for each and every day on which such violation of this title or failure to comply with any order is committed, confined, or otherwise maintained.

3. The Director may also refer notice of a violation to the district attorney for commencement of action to abate, remove and enjoin the violation as a public nuisance and a criminal action in the manner provided by law.

4. The conviction and punishment of any person under this section shall not relieve the person from the responsibilities of correcting the nuisance.

(Ord. 2001-23 § 2 (part), 2001).

### **18.02.035 – Commission and Board applications.**

1. Application Deadline. An application for a Variance, Special Use Permit, Zoning Map Amendment, Zoning Code Amendment, Master Plan Amendment, Tentative Subdivision Map, Tentative Planned Unit Development, or an abandonment of a right-of-way or easement shall be filed with the Director no later than 12:00 p.m. on the Thursday of the sixth week prior to the Commission meeting at which the application will be heard.

2. Determination of a Complete Application. Not more than 3 working days after the Commission or Board application deadline, the Director shall determine whether the application is complete and forward written notice to the applicant of the determination. If it is determined that the application is not complete, the written notice shall specify the application's deficiencies and describe the additional information required in order to make the application complete. The Director shall take no further action on the application unless the deficiencies are remedied. An incomplete application shall only be scheduled for Commission or Board review upon the submittal of a complete application pursuant to the provisions of this section. An application may only be scheduled for Commission review if the Director deems the application complete no later than 12:00 p.m. 33 days prior to the Commission meeting. If the Director fails to make a determination of completeness within 3 working days after the Commission or Board application deadline without the written concurrence of the applicant, the application is deemed complete. A determination of completeness shall not constitute a determination of compliance with other requirements of this title or NRS.

3. Processing of an Application. Following the determination of completeness of an application, the applicant shall tender the application fee to the Department. The Director shall review the application and prepare a report for the Commission or Board, as applicable, recommending approval, conditional approval, denial, or continuance for re-design. The Director shall schedule the application for public hearing within the time and in the manner required by this title, NRS, and administrative guidelines.

4. Official Filing Date. The time for processing and acting on Commission or Board applications as established by NRS or this title shall commence on the date that the application is deemed complete and the fees are paid. Material modifications of any application by the applicant following the filing of the application shall reestablish the time for processing and acting on the application upon the Director's determination that the modified application is complete.

5. Continuance of Application. An applicant may request a continuance of any application to a future meeting that is held not more than 180 days after the continuance request. A continuance requested by an applicant suspends the time established in NRS Chapter 278 and title 18 in which the applicable hearing body must render a decision. The applicable decision-making body may continue an application upon its own action provided that the meeting to which the application is continued allows for a decision on the application within required time limits established in NRS and this title.

6. Withdrawal of Application.



(a) After an application has been deemed complete, the applicant may withdraw the application at any time by submitting a letter of withdrawal to the Director. No further action shall be taken on an application once the withdrawal letter is received by the Director.

(b) An applicant is not entitled to a refund of application fees for a withdrawn application. However, the Director may refund fees not expended during staff review of the application, based on an hourly basis of staff time, if the application is withdrawn prior to the publication of the notice of public hearing.

(Ord. 2007-41 § 1, 2007: Ord. 2007-33 § 2, 2007: Ord. 2004-13 § 9, 2004: Ord. 2003-2 § 1, 2003: Ord. 2001-23 § 2 (part), 2001).

#### **18.02.040 – Subsequent applications.**

A second or subsequent application substantially similar to the first for a Variance, Special Use Permit, Zoning Map Amendment, Zoning Code Amendment or Master Plan Amendment shall not be submitted for review prior to 1 year after the first application's denial by the Commission or Board with respect to that parcel or any portion of that parcel unless the Director determines that the subsequent application is substantially different such that the facts supporting the previous denial from the Commission or Board no longer exist.

Where the holder of an application for a development approval wishes to file a subsequent application for a project which is substantially different from the first project, the new development application shall supersede the previous development application, and the applicant shall state on his or her application that, upon approval by the Commission or Board of the subsequent application, the first development approval is withdrawn.

(Ord. 2004-13 § 10, 2004: Ord. 2001-23 § 2 (part), 2001).

#### **18.02.045 - Notice of public hearings.**

1. Except as otherwise provided, all public hearing notices that are required for zoning or land division applications as identified in this title and title 17 (Division of Land) of CCMC shall comply with the provisions of this section.

2. Required public hearing notices shall be published in a newspaper of general circulation and mailed to surrounding property owners not less than 10 days before the public hearing. Required notices shall:

- (a) Identify the application type;
- (b) Describe the nature and scope of the proposed project or request;
- (c) Describe the location of the property that is subject to the application;
- (d) Identify the date, time and location of the hearing being noticed;
- (e) Provide contact information that may be used by interested persons to obtain additional information regarding a public hearing item;
- (f) If the application is for a Master Plan Land Use Amendment or Zoning Map Amendment, provide existing and proposed Master Plan or Zoning Map designations, as applicable; and
- (g) If a proposed Zoning Map amendment involves a change in the boundary of a zoning district that would reduce the density or intensity with which a parcel of land may be used, the property owner notice must include a section that an owner of property may complete and return to the governing body to indicate his or her approval of or opposition to the proposed amendment.

3. Except as otherwise noted in this section for noticing of public right-of-way abandonments, public hearing notices shall be sent via first-class mail to the applicant or appellant, as applicable, and all property owners as shown on the most recent equalized assessment rolls and all tenants of a mobile home park located within the following radius measured from the perimeter boundaries of the property subject to the application:

- (a) If the subject property is one acre or less in size, 300 feet;
- (b) If the subject property is larger than one acre and less than 40 acres in size, 600 feet; or
- (c) If the subject property is 40 acres or larger in size, 900 feet; and

(d) If the owners of record of the properties described in subparagraphs (a), (b) and (c) of this paragraph comprise less than 30 unique property owners, additional distance from the subject property as necessary to result in a total of 30 unique property owners within the notification radius.

4. A public hearing notice for a right-of-way abandonment shall be published in a newspaper of general circulation and mailed not less than 10 days before the public hearing. Notice shall be sent via U.S. mail, pursuant to a method that provides confirmation of delivery and does not require the signature of the recipient, to:

(a) The applicant; and

(b) Every owner of record of property that abuts upon the proposed right-of-way to be abandoned.

(Ord. 2004-13 § 11, 2004: Ord. 2002-41 § 1, 2002: Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2016-11, § I, 7-7-2016](#) )

#### **18.02.050 - Review.**

1. The Commission and Board in reviewing and judging the merit of a proposal for a Variance, Special Use Permit, Zoning Map Amendment, Master Plan Amendment, Zoning Code Amendment, or public right-of-way abandonment shall find that the regulations and standards in this title or state law are met.

2. The Commission and Board, after reviewing a proposal and taking public testimony, shall reduce their respective decisions to writing and shall include therein the decision in a concise and explicit statement of the evidence. A copy of the Commission's or Board's decision must be mailed by certified mail, delivered electronically to the applicant's email address provided on the application, or hand delivered to the applicant. The applicant must sign the notice of decision and return the notice of decision to the Department within 21 working days of receipt. A copy of the Commission's or Board's decision shall be placed in the Department files as a record of the decision. Failure of the applicant to return the notice of decision within the required timeframe may be cause to place the application on the next Commission or Board agenda for further review.

3. The Board shall have the power to review the recommendations and appeals of decisions of the Commission and by majority vote may affirm, deny, modify or return the recommendations or decisions to the Commission for further consideration.

4. The applicant for a Variance, Special Use Permit, Zoning Map Amendment, Master Plan Amendment, Zoning Code Amendment, or public right-of-way abandonment shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed application. For purposes of legal clarity, this shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Commission or Board. The applicant shall provide adequate information in the application and on any site plan to substantiate the findings required in this chapter. The Commission and Board shall determine if the information presented is adequate to support their decisions.

(Ord. 2004-13 § 12, 2004: Ord. 2001-23 § 2 (part), 2001).

#### **18.02.052 - Hearing examiners.**

1. Appointment. A Hearing Examiner shall be appointed by formal action of the Board and must meet the qualifications as established in NRS 278.263.

2. Compensation. The Hearing Examiner is entitled to no extra compensation for the hearing examiner duties.

3. Powers and Duties. The Hearing Examiner shall have the power and duty to study, review, approve, disapprove or approve with conditions all Administrative Permit applications and any other applications that may be authorized by this title for the hearing examiner's review.

4. Procedure.

(a) All hearings conducted by the Hearing Examiner pursuant to the provisions of this title must be at a meeting for which notice is given in accordance with the Open Meeting Law contained in NRS.

(b) Notice of a hearing shall be provided in accordance with CCMC 18.02.045 (Notice of public hearings).

(c) An audio recording of the hearing must be made and copies of the recordings must be made available to the public.

(d) The Hearing Examiner shall produce his or her decision in writing not more than 10 days after the date of the hearing.

5. Decision. Where this title indicates the Hearing Examiner process may be used, the decision of the Hearing Examiner is final unless appealed in accordance with CCMC 18.02.060 (Appeals). (Ord. 2004-13 § 13, 2004: Ord. 2001-23 § 2 (part), 2001).

**18.02.055 - Fees and service charges.**

[Note: This section will be deleted in its entirety, and fees will be adopted by Resolution of the Board of Supervisors. No changes to fees are proposed except as noted below.]

Before deeming any application required by this title complete for processing, fees as provided in this section shall be charged, collected and deposited with the planning division of the Department.

1. Zoning Application Fees:

Administrative Permit	\$750.00 + \$60.00/hr over 10 hours
Appeal	\$250.00 + \$60.00/hr over 4 hours
Zoning Map Amendment	\$2,450.00
Continuance	\$600.00
Historic Resources Review	No Charge
Major Project Review	No Charge
Master Plan Amendment	\$3,050.00
Minor Variance	\$500.00 + \$60.00/hr over 4 hours
Mobile Home Park Review	\$2,300.00
Recreational Vehicle Park Review	\$2,300.00
Special Use Permit—Minor (conditional uses or height use permit within any residential zoning district)	\$2,200.00
Special Use Permit—Major (all special use permits not considered minor)	\$2,450.00
Temporary Use Permit	\$750.00
Variance	\$2,150.00
Zoning Code Amendment	3,250.00

2. Division of Land Fees Pursuant to Title 17 of CCMC.

Development Agreement	\$1,800.00
Development Agreement Amendment	\$800.00
Land Division Map	\$750.00

Lot Line Adjustment or Deletion	\$500.00 + \$60.00/hr over 4 hours
Parcel Maps	\$2,750.00
Plat Amendment	\$2,550.00
Planned Unit Development—Tentative	\$3,450.00
Planned Unit Development—Final Map	\$3,550.00 per Phase
Subdivision—Tentative	\$3,500.00
Subdivision—Final	\$1,800.00 per Phase
Merger and Re-subdivision	See fees above; same as applicable Parcel Map, Subdivision Map or Planned Unit Development.

### 3. General Planning Division Fees.

Manufactured Home in Single Family Zoning	\$500.00
Modification to Zoning or Division of Land Approvals	75% of Current Application Fee
Private Activity Bond Volume Cap Allocation/Review of Application	\$500.00
Public Utility Easement Abandonment	\$1,850.00
Research Fee	Per City Policy
Right-of-Way Abandonment	\$2,450.00
Time Extension, Administrative[)]*	\$100.00
Time Extension, Public Hearing*	\$600.00

\*Not applicable to Development Agreements.

4. All fees are non-refundable except for recording fees when there is no actual recording.

5. An applicant who requests the continuance of an application after the notice of public hearing for the application has been published or mailed to property owners shall pay the continuance fee listed above, and the applicable public hearing body shall consider whether to grant or deny the continuance when the item is considered on the agenda. If the public hearing body denies the request for a continuance, the fee shall be refunded and the hearing conducted in accordance with the posted agenda.

(a) Notwithstanding the above provisions, the applicant shall not be required to pay a continuance fee if the applicable public hearing body requests the continuance.

6. No part of a filing fee will be refunded in the event that an application is not approved.

7. All application costs shall be payable to Carson City.

(Ord. 2007-28 § 1, 2007: Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2013-29, § I, 11-7-2013](#) )

### 18.02.060 - Appeals.

1. Appeals of Staff Decisions. An administrative decision of the Director may be appealed by the applicant or any aggrieved party to the Commission by following the procedures in subsection 4 of this section. The Commission may affirm, modify or reverse the decision.

2. Appeals of Commission, Hearing Examiner or Historic Resources Commission Decisions. Any decision of the Commission, Hearing Examiner or the Historic Resources Commission may be

appealed to the Board by the applicant, any aggrieved party, or any member of the Board by following the procedures in subsection 4 of this section. The Board may affirm, modify or reverse the decision.

3. Appeals of Board Decisions. A decision of the Board is final. Any appeal of its decision shall be in a court of competent jurisdiction within the time frames established by NRS.

4. Procedures for Filing an Appeal.

(a) Standing for filing an appeal. Any project applicant or any aggrieved party may file an appeal as specified in this section provided that the appellant has participated in the administrative process prior to filing the appeal.

(b) Issues for an Appeal. Issues not addressed in the public hearing stage of the administrative process for a project which is being appealed may not be raised as a basis for the appeal unless there is substantial new evidence which has become available accompanied by proof that the evidence was not available at the time of the public hearing. If new information is submitted to the Board, the application may be referred back to the Commission for further appeal, review and action.

(c) Appeal Application. An appeal shall be accompanied by the appropriate fee and filed in writing with a letter of appeal to the Director not more than 10 days after the date of the decision that is being appealed. The letter of appeal must include:

(1) The appellant's name, mailing address, daytime phone number and email address;

(2) A description of the project or decision for which the appeal is being requested. The letter shall indicate which aspects of the decision are being appealed. No other aspect of the appealed decision shall be heard; and

(3) The necessary facts or other information that support the appellant's contention that the [applicable decision-making body erred in its consideration or findings supporting its decision.

(d) Decision. The Commission or Board, whichever has jurisdiction over the appeal, shall render its decision on the appeal not more than 60 days after the submittal of a complete appeal application.

(e) Notice of Appeals. Notice of an appeal hearing shall be provided in accordance with CCMC 18.02.045.

(Ord. 2004-13 § 14, 2004: Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2016-11, § II, 7-7-2016](#) )

#### **18.02.065 - Administrative abandonment of public utility easements.**

1. For the purposes of this section a "public utility easement" is an easement obtained by Carson City or a public utility which is owned or controlled by Carson City and which runs in favor of the City. Pursuant to NRS 278.480(10) and through the use of the procedure contained in this section, a public utility easement may be abandoned without a hearing of the Board or the Commission. The owner of property who seeks abandonment of a public utility easement involving his or her property shall file an application in writing with the Department on the forms required by the Department. The application shall also include a legal description and exhibit prepared and signed by a surveyor licensed in the state of Nevada unless the city engineer waives the requirements of retaining a state licensed surveyor for the preparation of the documents. The Director may issue a written order abandoning a public utility easement after:

(a) Receiving a complete application;

(b) Obtaining the written approval of the city engineer or his or her designee, and the utilities director or his or her designee; and

(c) Determining the subject public utility easement is no longer necessary or useful to Carson City.

2. The abandonment of a public utility easement pursuant to this section does not affect an easement held by a private utility company even if such private utility easement was created by the same instrument or it has the same legal description, and also does not affect an easement held by the public as distinguished from an easement held by Carson City or a public utility owned or controlled by Carson City.

3. A decision of the Director made under this section may be appealed in the manner provided for in CCMC 18.02.060 (Appeals).

(Ord. 2001-23 § 2 (part), 2001).

**18.02.070 - Master Plan.**

1. Purpose. The purpose of this subchapter is to provide for the adoption of Carson City's Master Plan and amendments to the Master Plan.

2. Adoption of Master Plan. The Commission shall prepare and adopt a comprehensive, long term master plan for the physical development of Carson City. This plan shall be known as the Carson City Master Plan and must be so prepared that all or portions thereof may be adopted by the Board as the basis for the development of the city for a set, reasonable period of time pursuant to NRS 278.150.

3. Elements of the Master Plan. The Master Plan, along with accompanying charts, drawings, diagrams, schedules and reports, may include, but is not limited to, the subject matter as are appropriate for the city and as may be the basis for the physical development thereof as stated under NRS 278.160.

The Commission may prepare and adopt all or a portion thereof of the Master Plan for all or any part of the City pursuant to NRS 278.170.

The Commission shall, during the formation of plans for community design and public buildings, notify the school district's governing body to consider the preparation of such plans and to adequately and properly locate school sites.

4. Interest in Master Plan. The Commission shall endeavor to promote public interest in and understanding of the Master Plan and regulations relating thereto. As a means of furthering the purpose of the Master Plan, the Commission shall make annual recommendations to the Board for the implementation of the Master Plan. It also shall consult and advise with public officials, agencies and citizens to implement the Master Plan.

Pursuant to subsection 3 of NRS 278.190, the Commission members and employees, in the performance of their functions, may enter upon any land and make examinations and surveys. Furthermore, pursuant to subsection 4 of NRS 278.190, the Commission shall have power as may be necessary to enable it to fulfill its function and carry out the provisions of this title and NRS 278.010 to 278.630, inclusive. The Master Plan shall be, but is not limited to, a map, together with such charts, drawings, diagrams, schedules, reports, ordinances, or other printed or published material, or any one or a combination of any of the foregoing as may be considered essential to the purpose of carrying out this title and NRS 278.010 to 278.630, inclusive.

5. Implementation of Master Plan by the Board. Whenever the Board has approved the Commission's adopted Master Plan or a part thereof, the Board shall, upon recommendation of the Commission, determine a reasonable and practical means for implementing the Master Plan or a portion thereof. The Master Plan will serve as a pattern and guide for orderly physical growth and development of Carson City, which will cause the least amount of natural resource impairment and will conform to the adopted growth management plan, and will serve as a basis for the efficient expenditure of funds relating to the implementation of applicable elements of the Master Plan. After recommendation from the Commission, the Board may adopt and use procedures as may be necessary for the implementation of this title.

6. Requirements for Application.

(a) Initiation of Amendments. A Master Plan Amendment may be initiated by the Board or Commission through resolution. An owner of real property may initiate an amendment for their property through an application filed with the Director.

(b) Master Plan elements may be initiated by the Board or Commission.

(c) Types of Applications. There are 3 types of applications for Master Plan Amendments:

- (1) An amendment to the land use map of the land use element;
- (2) An amendment to revise the text in any master plan element; and
- (3) Adoption of a new Master Plan element.

(d) Timing of Amendments. The Master Plan land use map may be amended by the Board no more than 4 times per year. Applications or resolutions for Master Plan Amendments shall only be accepted during the Commission submittal dates in January, April, July, and October for review by the

Commission at its regular meeting the following month. Master Plan elements or other Master Plan text amendments may be submitted in any month during the calendar year for adoption.

(e) Frequency of Amendment. Only the Board or Commission may initiate an amendment of the Master Plan for a parcel less than 12 months after an amendment on that parcel has been approved or denied.

(f) Completeness. No Master Plan Amendment or element shall be processed until the information necessary to review and decide upon the proposed Master Plan Amendment or element is deemed complete by the Director.

7. Review Procedures. The Commission shall review a Master Plan Amendment or element in conformance with this section.

(a) General Provisions. The Commission shall conduct at least 1 public hearing with notification for the purpose of receiving oral and written evidence regarding the application. The Commission shall approve, modify, or deny the application based on the results of this review.

(b) Specific Plan. A specific plan may be submitted as part of a Master Plan Amendment. A specific plan will allow for more precise implementation of the Master Plan by requiring or permitting review of large scale planning issues in order to protect the natural environment, ensure compatible uses, conserve energy, achieve coherent and diverse development patterns, and ensure that roads and other infrastructure are or will be adequate to serve new development. At a minimum, all specific plans shall include:

- (1) A written description and land use plan map identifying the distribution, location and extent, density and general intensity of land uses, including open space;
- (2) The distribution, location and extent of major infrastructure systems to address transportation, sewage, water, drainage, solid waste and other essential services;
- (3) A plan for phasing the development of land uses and infrastructure;
- (4) A financing plan for proposed infrastructure;
- (5) A handbook containing guidelines, performance standards and other criteria including zoning standards and CC&Rs, if applicable, by which development will proceed;
- (6) Performance standards for the protection and conservation of natural resources including floodways, wildlife, soils, topography, geology, hillsides and slopes;
- (7) Performance standards to achieve the goals and objectives of the Master Plan;
- (8) Where adjacent land uses are not compatible, appropriate performance standards for transition zones for buffering, screening and open space to protect adjacent uses;
- (9) Other requirements including development agreements as deemed appropriate by the Director.

(c) Concurrent Processing of Applications. If a proposed project requires more than 1 application under the provisions of this title, the applications may be filed at the same time and processed concurrently.

(d) Time Period for Hearing. Public hearings conducted by the Commission shall be initiated not more than 45 days after the date the resolution was adopted or the complete application was accepted.

(e) Time Period for Action. The Commission may take action on the proposed Master Plan Amendment or element at the conclusion of the public hearing, but shall take action no later than 90 days after a resolution initiating a Master Plan Amendment application is adopted or a complete application is accepted. An extension of time for Commission action may be granted if mutually agreed upon between the applicant and the Commission.

8. Notice for Master Plan Amendments or Elements. Notice of the Commission hearing for all Master Plan Amendments or elements shall be given in accordance with the provisions of this section and NRS 278.210. If a proposed Master Plan Amendment includes changes to the Master Plan land use map, property owner notice shall also be provided in accordance with CCMC 18.02.045 (Notice of Commission hearings).

9. Commission Action. The Commission may take action to adopt or deny the Master Plan Amendment or element request. An action to adopt the Master Plan Amendment or element shall be by

resolution of the Commission carried by the affirmative votes of not less than two-thirds of the total membership of the Commission. The resolution shall refer expressly to the maps, descriptive matter, text or other matter intended by the Commission to constitute the amendment or element. Failure of the Commission to hold a public hearing or take action within the time frames provided in this article shall constitute a recommendation of approval of the Master Plan Amendment or element application.

10. Commission Findings for Master Plan Amendments. When forwarding its decision to the Board for adoption of a Master Plan Amendment, the Commission shall, at a minimum, make the following findings of fact:

(a) Consistency with Master Plan. The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan. In considering this finding, the Commission:

(1) Shall weigh competing plan goals, policies and action programs; and

(2) May approve an application even if the goals, policies, or action programs in the Master Plan are inconsistent with the proposed amendment;

(b) Compatible Land Uses. The proposed amendment will provide for land uses compatible with existing adjacent land uses, and will not adversely impact the public health, safety or welfare. The factors to be considered in evaluating this finding shall include:

(1) The general characteristics of the uses that may be conducted within the proposed land use designation are reasonably compatible with the types of uses permitted in the surrounding areas;

(2) The potential for property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or lighting;

(3) The potential for any hazard to persons or property from possible explosion, contamination, fire or flood; and

(4) The potential for any impact on surrounding properties resulting from unusual volume or character of traffic as compared to the volume or character of traffic that could be expected under the existing land use designation;

(c) Response to Changed Conditions. The proposed amendment addresses changed conditions that have occurred since the plan was adopted by the Board and the requested amendment represents a more desirable utilization of land; and

(d) Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the city and guides development of the city based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

11. Commission Findings for Master Plan Elements. When forwarding its decision to the Board for adoption of a Master Plan element, the Commission shall, at a minimum, make the following findings of fact:

(a) The the proposed element is consistent with and not contrary to the present elements of the Master Plan. In considering this finding, the Commission:

(1) Shall weigh competing plan goals, policies and action programs; and

(2) May approve an application that provides a public benefit even if the element is contrary to some of the goals, policies, or action programs in the Master Plan;

(b) The element shall be part of the Master Plan, which is a comprehensive long-term document for the physical development of Carson City, and this element will now supplement the other Master Plan elements that compose the Master Plan; and

(c) The proposed element will promote a desired pattern of orderly, physical growth of the city, or guides a particular type of development activity within Carson City, which will be based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

12. Planning Commission Report. Not more than 45 days after the action by the Commission on the proposed Master Plan Amendment or element, a report describing the amendment or element, the discussion at the public hearing, testimony, notice and vote of the Commission, along with a certified copy of the proposed amendment or element shall be transmitted to the Board. If the Commission does



not recommend adoption, the report must state why the Commission could not make the required findings for adoption. Failure of the Commission to report to the Board not more than 45 days after the date of its hearing shall be deemed a recommendation of approval.

13. Action by Board. The Board shall review a Master Plan Amendment or element in accordance with the provisions of this section.

(a) Timing for Hearing. The Director shall schedule a public hearing before the Board regarding a Master Plan Amendment or element not more than 45 days after the action by the Commission.

(b) Notice of Hearing. The public hearing shall be noticed as required by NRS 278.220.

(c) Board Action. In reviewing a Master Plan Amendment or element, the Board shall consider the record and evidence introduced to the Commission, and may approve, modify or deny the Commission's action. Final action to approve, modify or deny the Master Plan Amendment or element shall require a simple majority of the Board members in attendance. If the Board proposes to modify the Commission's action regarding a Master Plan Amendment or element, the proposed modifications shall be referred to the Commission for consideration. The Commission shall conduct a public hearing on the modification. The Commission shall submit a report on the proposed modification back to the Board not more than 90 days after the date of referral by the Board. Failure of the Commission to report to the Board within the required time period shall be deemed a recommendation of approval. Prior to making a final decision, the Board shall conduct a public hearing and notice this hearing as required by NRS 278.220. Approval of the proposed modification by the Board shall require a simple majority vote of the Board members in attendance.

14. Effective Date. A Master Plan Amendment or element shall become effective immediately upon a determination by the Board that the amendment or element is in conformance with the Master Plan and all noticing procedures have been fully complied with.

15. One-Year Wait for Denials. After the denial of a Master Plan Amendment by the Board, no application for a Master Plan Amendment for the same or similar amendment may be accepted for 1 year after the date of the Board action denying the application.

(Ord. 2005-21 § 2, 2005: Ord. 2002-41 § 2, 2002: Ord. 2001-23 § 2 (part), 2001).

### **18.02.075 - Zoning Map Amendment and Zoning Code Amendment.**

1. Amendments. This title and the zoning map incorporated herein may be amended, repealed or supplemented by the Board.

2. Application Requirements. Amendments to this title or the City's official zoning map may be initiated by the Commission, the Board, or an owner of a lot or parcel, by filing with the Director a complete application, accompanied by the required fee, and application materials including all evidence and facts required under this section.

3. Investigation. The Director shall investigate each application to assure that the proposal is consistent with the requirements of this title.

4. Hearing.

(a) The Commission shall hold a public hearing on all proposed amendments not more than 65 days after the acceptance of a complete application.

(b) When the Commission deems it appropriate, it may consider other property for amendment, in addition to that sought in the application, and instruct the Director to initiate a zoning map amendment for the additional property. An amendment for any additional property directed by the Commission is subject to the requirements of this section.

5. Findings. The Commission, in forwarding a recommendation to the Board for approval of a Zoning Map Amendment or Zoning Code Amendment, shall make the following findings of fact:

(a) The proposed amendment is in substantial compliance with and supports the goals and policies of the master plan. In considering this finding, the Commission:

(1) Shall weigh competing plan goals, policies and action programs; and

(2) May approve an application that provides a public benefit even if the some of the goals, policies, or action programs in the Master Plan are inconsistent with the proposed amendment;

(b) 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 factors to be considered in evaluating this finding shall include

(1) The general characteristics of the uses that may be conducted within the proposed zoning district are reasonably compatible with the types of uses permitted in the surrounding areas; and

(c) 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 factors to be considered in evaluating this finding shall include:

(1) The potential for property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or lighting;

(2) The potential for any hazard to persons or property from possible explosion, contamination, fire or flood; and

(3) The potential for any impact on surrounding properties resulting from unusual volume or character of traffic as compared to the volume or character of traffic that could be expected under the existing zoning designation.

6. Decision of the Commission. Following the public hearing, the Commission shall determine if there is adequate evidence in the record to support the facts and findings required by this section and shall approve, modify or deny the request for the Zoning Map Amendment or Zoning Code Amendment.

7. Report to the Board.

(a) After the hearing of the Commission, the Commission shall make a recommendation on the application to the Board.

(b) The Commission shall forward to the Board a copy of its decision and findings in accordance with this section recommending approval, modification or denial of the proposed Zoning Map Amendment or Zoning Code Amendment.

(c) Failure of the Commission to report to the Board not more than 30 day after the date of its hearing shall be deemed a recommendation of approval.

8. Action by Board. The Board shall consider the evidence relating to the Zoning Map Amendment or Zoning Code Amendment and may approve, modify or deny the recommendation of the Commission by a simple majority vote of the Board members in attendance.

(Ord. 2004-13 § 15, 2004; Ord. 2001-23 § 2 (part), 2001). ([Ord. No. 2016-11, § III, 7-7-2016](#))

#### **18.02.080 - Special Use Permit (conditional uses).**

1. Authority. The Commission shall have the discretionary authority to approve, conditionally approve or deny a Special Use Permit for any conditional use.

2. Application Requirements. Before a Special Use Permit may be considered for approval:

(a) Any person requesting a Special Use Permit shall file a complete application with the planning division. The application shall include the information, site plans and other materials determined by the Director to be necessary to support the requirements of this section.

(b) The proposed use shall be listed as a conditional use in the zoning district in which the property is located or shall be a similar use to a use listed as a conditional use in that zoning district as determined by the Director pursuant to CCMC 18.04.020 (Determination of districts).

3. Investigation. The Director shall investigate each application to assure that the proposal is consistent with the requirements of this title.

4. Hearing.

(a) The Commission shall hold a public hearing, not not more than 65 days after acceptance of a complete application.

(b) Notice of the Commission hearing shall be given in accordance with CCMC 18.02.045 (Notice of Commission hearing).

(c) The Commission shall hear and consider evidence and facts regarding the Special Use Permit application from any person at the public hearing or by written communication from any person.

5. Findings. In approving a Special Use Permit, the Commission shall make the following findings of fact:

(a) The proposed use will be in substantial compliance with the objectives of the Master Plan elements. In considered this finding, the Commission:

(1) Shall weigh competing plan goals, policies and action programs; and

(2) May approve an application even if the goals, policies, or action programs in the Master Plan are inconsistent with the proposed project;

(b) The proposed location of the use is in accordance with the objectives of this title and the purpose of the zoning district in which the site is located;

(c) The proposed site location and scale, intensity, density, height, layout, setbacks, architectural and overall design of the development and the uses proposed contribute to and enhance the character of the area in which it is located;

(d) The granting of the Special Use Permit will not be materially detrimental to the public health, safety or welfare. The factors to be considered in evaluating this finding shall include:

(1) Property damage or nuisance resulting from noise, vibrations, fumes, odors, dust, glare or physical activity;

(2) Any hazard to person or property from possible explosion, contamination, fire or flood; and

(3) Any impact on the surrounding area resulting from unusual volume or character of traffic as compared to the volume or character of traffic that could be expected from permitted uses within the zoning district in which the property is located;

(e) The characteristics of the proposed use is reasonably compatible with the types of uses permitted in the surrounding area; and

(f) The use will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements.

6. Decision. Following the public hearing, the Commission shall determine if there is a preponderance of evidence in the record to support the findings required by this section and shall approve, conditionally approve, modify or deny the Special Use Permit request.

7. Conditions of Approval. The Commission, in approving a Special Use Permit, may require certain conditions under which the lot or parcel may be used or the building constructed if, in the Commission's opinion, the conditions are necessary for the use to meet the required findings for approval of the Special Use Permit. Standard conditions of approval are found in CCMC 18.02.105.

8. Expiration; Revocation.

(a) Where a use permitted by an approved Special Use Permit is not initiated on the property not more than 12 months after the date of approval, unless additional time is granted by the Commission based upon consideration of the specific circumstances of the project, then without further action, the Special Use Permit shall be null and void and the use shall not be permitted on the property except upon the granting of a new Special Use Permit.

(b) If the use for which the Special Use Permit was granted is discontinued for 12 consecutive months, the Special Use Permit is void.

(c) In the event that circumstances beyond the control of the applicant result in a failure to complete applicable Special Use Permit conditions and initiate the use prior to the expiration date, the applicant may, in writing, request an extension of the expiration date. The written request for an extension must be received by the Planning Division not less than 30 days prior to the expiration date and shall state the reason for the extension. The Director may approve a 1-year extension from the original date of Special Use Permit expiration, or the Director may refer the extension request to the Commission. The Commission may approve additional extensions of time subject to the consideration of the continued appropriateness of the Special Use Permit based on the required Special Use Permit findings. When considering an extension, the Commission may impose additional conditions on the Special Use Permit to ensure that the activity permitted by the Special Use Permit continues to meet the required findings for approval of a Special Use Permit.

(d) A Special Use Permit shall be, upon violation, subject to revocation or amendment by the Commission in accordance with CCMC 18.02.090. (Ord. 2004-13 § 16, 2004: Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2008-37, § I, 12-4-2008](#) )

**18.02.085 - Variances.**

1. Authority. The Commission shall have the discretionary authority to approve, conditionally approve or deny a Variance.

2. Application Requirements.

(a) Any person requesting a Variance shall file a complete application with the planning division. The application shall include the information, site plans and other materials determined by the Director to be necessary to support the requirements of this section.

3. Investigation. The Director shall investigate each application to assure that the proposal is consistent with the requirements of this title.

4. Hearing.

(a) The Commission shall hold a public hearing not later than 65 days after the acceptance of the complete application.

(b) Notice of the Commission hearing shall be given in accordance with CCMC 18.02.045 (Notice of Commission hearing).

(c) The Commission shall hear and consider evidence and facts regarding the Variance application from any person at the public hearing or by written communication from any person.

5. Findings. In approving a Variance, the Commission shall make the following findings of fact:

(a) Because of special circumstances applicable to the subject property, including shape, size, topography or relation to surrounding properties at the time of enactment of the regulation for which the Variance is being sought, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity within the same zoning district;

(b) The strict application of the regulation would result in peculiar and exceptional practical difficulties, or exceptional and undue hardship; and

(c) The granting of the Variance will not, under the circumstances of the particular case, be materially detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity.

6. Decision. Following the public hearing, the Commission shall determine if there is adequate evidence in the record to support the findings required by this section and shall approve, conditionally approve, modify or deny the Variance request.

7. Conditions of Approval. The Commission, in approving a Variance, may require conditions under which the lot or parcel may be used or the building constructed that, in the Commission's opinion, are necessary for the project to meet the required findings for approval of the Variance. Standard Conditions of Approval are found in CCMC 18.02.105.

8. Expiration.

(a) Where an approved Variance is not initiated within 12 months of the date of approval, unless additional time is granted by the Commission based upon consideration of the specific circumstances of the project, then without further action, the permit shall be null and void and such development activity shall not be initiated on the property except on the granting of a new Variance.

(b) In the event that circumstances beyond the control of the applicant result in a failure to complete applicable Variance conditions and initiate the project prior to the expiration date, the applicant may request in writing an extension of the expiration date. The written request for an extension must be received by the Director not less than 30 days prior to the expiration date and shall state the reason for the extension. The Director may approve a 1-year extension from the original date of Variance expiration, or the Director may refer the extension request to the Commission. The Commission may approve additional extensions of time subject to the consideration of the continued appropriateness of the Variance based on the required Variance findings. When considering an extension, the Commission may impose additional

conditions on the Variance to ensure that the project permitted by the Variance continues to meet the required findings for approval of a Variance.

9. Limitations on Variances. No variance shall be granted that allows a land use that is prohibited in the zoning district in which it is located or that changes any boundary of the district; nor shall any variance be granted that changes the permitted residential density of a zoning district.

10. Minor Variances. The Director may grant a deviation of less than 10 percent from the requirements of title 18 established within a zoning district, subject to the following:

(a) The applicant shall submit the request in writing to the Director stating the provision of the zoning ordinance that is proposed to be modified, including the extent of the deviation to the existing zoning provision. The request shall include maps, including the relation of the property and deviation to surrounding properties, displays and other materials as necessary for the Director to review the application.

(b) The applicant must submit the written consent of the owner of any adjacent property that could be affected by the requested deviation. If written consent is not submitted to the satisfaction of the Director, the Director may require the applicant to submit a Variance application, including all Variance submittal requirements and fee, for review by the Commission.

(c) In approving minor variance, the Director shall find that the deviation will not impair the purpose of the zoning district in which the property is located or the zoning regulation from which relief is being sought.

(d) The Director may impose conditions of approval for a Minor Variance pursuant to CCMC 18.02.105 (Standard Conditions of Approval) and as necessary to meet the required finding.

(e) The Director shall render a decision not more than 30 days after the receipt of the request, and shall send written notification of the decision to the applicant.

(f) The Director's decision may be appealed to the Commission pursuant to CCMC 18.02.060 (Appeals).

(Ord. 2007-9 § 1, 2007: Ord. 2004-13 § 17, 2004: Ord. 2001-23 § 2 (part), 2001). ([Ord. No. 2008-37, § II, 12-4-2008](#).)

#### **18.02.090 - Revocation or reexamination of Variance or Special Use Permit.**

1. Any of the following reasons or occurrences are grounds for a hearing on revocation or reexamination of a Variance or Special Use Permit, pursuant to show cause procedures of CCMC 18.02.095:

(a) Failure or refusal of the applicant to comply with any of the terms or conditions of a Variance or Special Use Permit.

(b) Any misrepresentation made in the application for a Variance or Special Use Permit.

(c) Any act or failure to act by the applicant or its agents or employees directly related to the Variance or Special Use Permit that would be a violation of federal law, NRS or CCMC;

(d) Any act or failure to act by the applicant or its agents or employees directly relating to the Variance or Special Use Permit that creates or tends to create a public nuisance or is detrimental to the public health, safety and welfare;

(e) A failure to return a signed copy of the notice of decision not more than 21 days from the date of receipt of the notice.

2. Resubmittal of plans that substantially differ from those approved as part of a Variance or Special Use Permit application shall require the submittal of an amended Variance or Special Use Permit application, as applicable, including applicable fees.

3. The continued use of a revoked Variance or Special Use Permit shall constitute a violation of this title and shall be subject to enforcement as provided in CCMC 18.02.030. (Ord. 2007-28 § 2, 2007: Ord. 2004-13 § 18, 2004: Ord. 2001-23 § 2 (part), 2001).

#### **18.02.095 - Show cause procedure of Variance or Special Use Permit.**

1. Procedures.

(a) The Commission, upon its own motion, or upon the sworn complaint in writing of any person, or upon information presented by the Director, may request that the Director investigate the conduct of any applicant under this chapter to determine whether grounds for revocation or reexamination of any Variance or Special Use Permit exist. The Director shall notify the applicant of any investigation upon the Commission's action to request the investigation and prior to any public hearing.

(b) After an investigation, if the Commission determines that grounds for revocation or reexamination of a Variance or Special Use Permit exist, the Commission shall direct staff to issue and serve the applicant with an order to show cause why the Variance or Special Use Permit should not be revoked or reexamined. The order shall contain:

- (1) A statement directing the applicant or applicant's representative to appear before the Commission at a particular time and place;
- (2) A statement of the grounds for revocation;
- (3) A statement that the applicant shall have an opportunity to be heard, present witnesses and respond to any witnesses against him.

(c) Notice of the show cause hearing must be served to the applicant not less than 10 days prior to the show cause hearing date. Service on the applicant shall be made by personally delivering a copy of the order to show cause to one of the persons whose name is on the application or by mailing a copy of the order by registered mail with return receipt to the applicant's address, as listed on the Variance or Special Use Permit application.

## 2. Hearing.

(a) At the hearing on the order to show cause, the applicant and the complainant, if there is one, may be represented by attorneys, present testimony and question witnesses. If the hearing is pursuant to a complaint, the complainant must also be present.

(b) After the conclusion of discussion and public testimony, the possible actions that the Commission may take include approval, approval with conditions, denial, modification of permit conditions of approval, and limited suspension of the approved permit.

(c) Not more than 20 days after the hearing, the Commission must render its decision as to revocation or reexamination and give notice of decision to the applicant. An order of revocation requires a majority vote of the Commission members in attendance.

## 3. Appeal of Show Cause Hearing Determination.

(a) Appeals shall be made in accordance with and are subject to the provisions of CCMC 18.02.060 (Appeals) for appeals of the Commission's decision.

(b) Notwithstanding other provisions of this section or CCMC 18.02.060, an appeal of the Commission's decision regarding a show cause hearing shall be heard by the Board not more than 45 days from the date of the Commission's decision.

(Ord. 2004-13 § 19, 2004; Ord. 2001-23 § 2 (part), 2001).

### **18.02.100 - Major Project Review (MPR).**

1. Purpose. The purpose of the Major Project Review process is to provide a preliminary review of development plans to reduce the need for an applicant to contact individual city departments and other agencies to obtain information relevant to the approval of a project. This review allows an applicant to ascertain what may be required to gain approval for a project during the city's permitting review process. The Major Project Review process is utilized to solicit many of the requirements and recommendations of the various city departments in a coordinated and comprehensive fashion.

## 2. Applicability.

(a) A Major Project Review is required prior to submitting for any other required permit for the following project types:

- (1) Mobilehome and manufactured home parks;
- (2) RV parks;
- (3) Campgrounds;
- (4) Multi-family residential development;

(5) Commercial, industrial, institutional and public development with a building area of more than 50,000 square feet; and

(6) Increases of 10 percent or more in floor area or number of units or spaces for the project types listed above.

(b) Applicants for smaller projects or other types of projects may make application for a Major Project Review on a voluntary basis.

3. Process.

(a) The Director, upon submission of a Major Project Review application and required submittal information, shall circulate the application to city departments and agencies for review. A Major Project Review meeting will be scheduled by staff no more than 30 days after the date of submittal. At the Major Project Review meeting, city staff from various city departments will identify design concerns, offer alternative design considerations, identify code deficiencies and other issues as can be determined from the application materials. Applicants are encouraged to ask staff questions relevant to the project.

(b) A letter shall be sent to the applicant upon conclusion of the Major Project Review meeting outlining the recommendations and concerns of various City departments.

(c) For projects for which a Major Project Review is required pursuant to this section, an applicant may submit for applicable permits only after receiving the Major Project Review letter.

(Ord. 2007-9 § 2, 2007: Ord. 2001-23 § 2 (part), 2001).

**18.02.105 - Standard conditions of approval.**

The standard conditions contained in this section are imposed on applications requiring discretionary approval. Additional conditions may be imposed by city staff, the Commission or the Board as necessary to make the required findings for each application type.

1. Special Use Permit.

(a) All development shall be substantially in accordance with the plans approved with the application, as modified by any conditions of approval.

(b) All on and off-site improvements shall conform to city standards and requirements.

(c) The use for which this permit is approved shall be initiated not more than 12 months after the date of final approval. A request for a single, 1-year extension of time may be requested and granted by the Director provided that the request is submitted in writing to the planning division not less than 30 days prior to the 1-year expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision not more than 21 working days after receipt of the notice of decision. If the notice of decision is not signed and returned within 21 working days, the item may be rescheduled for the next Commission meeting for further consideration.

2. Variance.

(a) All development shall be substantially in accordance with the plans approved with the application, as modified by any conditions of approval.

(b) All on and off-site improvements shall conform to city standards and requirements.

(c) The use for which this permit is approved shall be initiated not more than 12 months after the date of final approval. A request for a single, 1-year extension of time may be requested and granted by the Director provided that the request is submitted in writing to the planning division not less than 30 days prior to the 1-year expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision for conditions of approval not more than 21 working days after receipt of the notice of decision. If the notice of decision is not signed and returned within 21 working days, the item may be rescheduled for the next Commission meeting for further consideration.

3. Administrative Permits.

(a) All development shall be substantially in accordance with the plans approved with the application, as modified by any conditions of approval.

(b) All on and off-site improvements shall conform to city standards and requirements.

(c) The use for which this permit is approved shall be initiated not more than 12 months after the date of final approval. A request for a single, 1-year extension of time may be requested and granted by the Director provided that the request is submitted in writing to the planning division not less than 30 days prior to the 1-year expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision not more than 21 working days after receipt of the notice of decision. If the notice of decision is not signed and returned within 21 working days, then the item may be rescheduled for the next administrative hearing meeting for further consideration.

#### 4. Temporary Use Permit.

(a) All development shall be substantially in accordance with the plans approved with the application, as modified by any conditions of approval.

(b) All on and off-site improvements shall conform to city standards and requirements.

(c) The use for which this permit is approved shall be initiated not more than 12 months after the date of final approval. A request for a single, 1-year extension of time must be submitted in writing to the planning division not less than 30 days prior to the 1-year expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision not more than 21 working days after receipt of the notice of decision. If the notice of decision is not signed and returned within 21 working days, the item may be reconsidered by the Director.

#### 5. Tentative Map.

(a) All final maps shall be in substantial accord with the approved tentative map.

(b) Prior to submittal of any final map, the applicant must submit construction plans to the development engineering division for all required on-site and off-site improvements and obtain City approval of the plans. The plans must adhere to the recommendations contained in the project soils and geotechnical report and all applicable conditions of approval.

(c) Lots not planned for immediate development shall be left undisturbed and mass grading and clearing of natural vegetation shall not be allowed. Any and all grading shall comply with city standards. A grading permit from the Nevada Division of Environmental Protection shall be obtained prior to any grading.

(d) All lot areas and lot widths shall meet the zoning requirements approved as part of this tentative map.

(e) With the submittal of any final maps, the applicant shall provide from the City health and fire departments indicating the agencies' concerns or requirements have been satisfied. The correspondence shall include approval by the fire department of all hydrant locations.

(f) The following note shall be placed on all final maps:

"These parcels are subject to Carson City's growth management ordinance and all property owners shall comply with provisions of the ordinance."

(g) Placement of all utilities shall be underground within the subdivision. Any existing overhead facilities shall be relocated prior to the submittal of a final map.

(h) The applicant must sign and return the notice of decision for conditions for approval not more than 21 working days after receipt of the notice of decision. If the notice of decision is not signed and returned within 21 working days, the item may be rescheduled for the next Board meeting for further consideration.

(i) Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City building department may issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately and the City may take other enforcement actions as permitted under CCMC.



(j) The applicant shall adhere to all city standards and requirements for water and sewer systems, grading and drainage, and street improvements.

(k) The applicant shall obtain a dust control permit from the Nevada Division of Environmental Protection for site grading. The site grading must incorporate proper dust control and erosion control measures.

(l) A detailed storm drainage analysis, water system analysis, and sewer system analysis shall be submitted to and approved by the development engineering department prior to approval of a final map.

(m) Prior to the recordation of the final map for any phase of the project, the improvements associated with the particular phase of the project must either be constructed and approved by Carson City, or the construction of the improvements secured by providing the city with a proper surety in the amount of 150 percent of the engineer's cost estimate for the improvements. In either case, upon acceptance of the improvements by the City, the developer shall provide the City with a proper surety in the amount of 10 percent of the engineer's cost estimate to secure the developer's obligation to repair defects in workmanship and materials which appear in the work less than 1 year after the date of acceptance by the city.

(n) The applicant must provide a "will serve" letter from the water and wastewater utilities to the Nevada Health Division prior to approval of a final map.

(o) Unless a longer time is provided through a development agreement or by action of the Board prior to the expiration of the tentative map approval:

(1) The final map for the entire subdivision or the first final map for any phase thereof must be recorded not more than 4 years from the date of final approval of the tentative map; and

(2) Any final map for a subsequent phase of the subdivision must be recorded not more than 2 years after the recordation date of the previous phase.

The applicant is responsible for ensuring that plans are submitted to the City with adequate time for review and recordation prior to the tentative map expiration date.

6. Planned Unit Development. All tentative map conditions of approval shall apply, and the following:

(a) All lot areas and lot widths shall meet the zoning requirements approved as part of this planned unit development.

(b) The applicant shall preserve as many trees as practicable within the common open space areas. Mature trees damaged by fire and others in poor health shall be removed only after approval of the planning division.

(c) The homeowner's association shall maintain all common open space areas, including any area devoted to the guest parking.

7. Parcel Map.

(a) These parcels are subject to the growth management ordinance and a note shall be placed on the map stating:

"These parcels are subject to Carson City's growth management ordinance and all property owners shall comply with provisions of the ordinance."

(b) The parcels created by this parcel map shall not be subdivided by parcel map prior to 1 year after the date of recordation of the parcel map. Any subsequent subdivision of the parcels created by this parcel map prior to 1 year after the date of recordation of the parcel map shall require approval of a tentative map.

(c) If map corrections are necessary after the second redline review by staff, the City may hire a private surveying firm to review the corrected map and note corrections for staff. The applicant will be responsible for the consulting surveying firm's review fees.

(d) The existing assessor's parcel number is a required notation on the treasurer's certificate.

(e) An electronic copy of the map and proof of taxes being paid in full for the fiscal year must be submitted to the planning division prior to recordation of the map.

(f) The zoning designation and master plan designation must be noted on the map.

(g) The adjacent assessor's parcel numbers and property ownership must be noted on the map.

8. Historic Resources Commission.

(a) All development shall be substantially in accordance with the plans approved with the application, as modified by any conditions of approval.

(b) All on and off-site improvements shall conform to city standards and requirements.

(c) The use for which this permit is approved shall be initiated not more than 12 months after the date of final approval. A request for a single, 1-year extension of time may be requested and granted by the Director provided that the request is submitted in writing to the planning division not less than 30 days prior to the 1-year expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.

(d) The applicant must sign and return the notice of decision within 21 working days of receipt of notification. If the notice of decision is not signed and returned within 21 working days, then the item may be rescheduled for the next Historic Resource Commission meeting for further consideration.

9. Abandonment of Public Right-of-Way.

(a) Prior to the recordation of the right-of-way abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search materials in order to fully complete the abandonment process.

(b) The applicant must sign and return the notice of decision for conditions of approval not more than 21 working days after receipt of the notice of decision. If the notice of decision is not signed and returned within 21 working days, the item may be rescheduled for the next Board meeting for further consideration.

(Ord. 2001-23 § 2 (part), 2001).

**18.02.110 - Administrative Permit.**

1. Authority. A hearing examiner shall have the discretionary authority to approve, conditionally approve, or deny an Administrative Permit.

2. Purpose. The purpose of Administrative Permits is to provide for the method of reviewing proposed uses which possess characteristics that have the potential to adversely affect other land uses, transportation or facilities in the vicinity. The hearing examiner may require conditions of approval necessary to eliminate or reduce any adverse effects of a use.

3. Applicability. This chapter establishes a process that authorizes the hearing examiner to review and render final decisions on zoning matters and development proposals identified within title 18 as requiring an Administrative Permit.

4. Process.

(a) Any person requesting an Administrative Permit shall file a complete application with the planning division. The application shall include the information, site plans and other materials determined by the Director to be necessary to support the requirements of this section.

(b) Except as otherwise provided in this section, all procedural requirements, including those related to noticing of the administrative hearing, time periods for action, findings and all post-decision provisions, shall be made in the same manner as prescribed for a Special Use Permit in accordance with CCMC 18.02.080.

(c) The Director or hearing examiner may refer the application to the Commission for its review and decision.

5. Findings. In approving an administrative permit, the hearing examiner shall make the findings as required for a Special Use Permit in CCMC 18.02.080.

6. Notification and Appeal of Decision. The hearing examiner shall notify the applicant not more than 10 days after the date of the decision. The decision of the hearing examiner may be appealed to the Commission by the applicant or any aggrieved party pursuant to CCMC 18.02.060 (Appeals).

(Ord. 2007-9 § 3, 2007: Ord. 2006-13 § 1, 2006: Ord. 2004-13 § 20, 2004: Ord. 2001-23 § 2 (part), 2001).

### **18.02.115 - Temporary Use Permit.**

1. Purpose. This section provides for the temporary permitted uses of short-term commercial activities that may not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature.

(a) Carson City has an economy that is partly dependent on tourism and retail sales, and is therefore, partly dependent on its appearance. Outside sales, display preparation service and storage can adversely affect the appearance and public image of Carson City. It is within the public interest and contributes to the general welfare to project an attractive community image and to promote retail sales.

(b) Outside sales, activities and uses are generally prohibited by the provisions of title 18. Except as specifically provided otherwise by CCMC, all temporary outside sales, storage and displays shall be conducted entirely in accordance with the provisions of this section.

2. Authority. The Director shall have the discretionary authority to approve, conditionally approve or deny a Temporary Use Permit application.

3. Applicability. This Chapter establishes a process for the Director's review of a proposed temporary use to ensure basic health, safety and community welfare standards are met, and only suitable temporary uses with the minimum necessary conditions or limitations consistent with the temporary nature of the use may be approved.

4. Process. An application for a Temporary Use Permit to establish a temporary use, as described in this section, must be filed with the Department in a manner prescribed by the Director, along with the required fee.

5. Findings. The Director may approve or conditionally approve a Temporary Use Permit application if the following findings can be made:

(a) Adequate parking will be provided in areas not located within the public right-of-way, and adequate parking and pedestrian circulation remains available for any existing uses on the site being used by the temporary use;

(b) The proposed temporary use is in compliance with all applicable City, State and Federal laws;

(c) The Fire Chief has determined that the proposed use would not create a fire safety hazard;

(d) The subject property is located within a commercial, industrial, or public use zoning district;

(e) If the use is occurring on City owned property, permission from the City Manager or their designee has been obtained;

(f) Operation of the use would not create adverse traffic safety impacts nor result in detrimental impacts upon the neighborhood in which it is to be located;

(g) The establishment, maintenance, or operation of the temporary use would not be detrimental to the public health, safety or welfare of person residing or working in the neighborhood of the proposed use; and

(h) Approved measure for removal of the use and site restoration have been required to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by title 18.

5. Conditions of Approval. In approving a Temporary Use Permit, the Director may impose any conditions deemed reasonable and necessary to ensure that the approval will be in compliance with the required findings. Standards for floor areas, heights, landscaping areas, off-street parking, setbacks and other structure and property development standards that apply to the category of use or the zoning district of the subject site shall be used as a guide for determining the appropriate development conditions for the temporary use. However, the Director may grant an adjustment from the specific requirements as deemed necessary or appropriate. Standard conditions of approval are found in CCMC 18.02.105.

6. Post Approval Procedures. The following procedures shall apply following the approval of a Temporary Use Permit:

(a) Conditions of Site Following Temporary Use. Each site occupied by a temporary use shall be cleaned of debris, litter or any other evidence of the temporary use upon completion or removal of the use, and shall thereafter be used in compliance with the provisions of this title. The Director may require a

cash surety as a condition of approval to ensure the site restoration and adequate cleanup after the use is finished; and

(b) Revocation or Modification. If necessary to ensure continued compliance with the required findings, the Director may revoke or modify a Temporary Use Permit if done with not less than 24-hour notice to the applicant.

7. Appeals. Appeals of the Director's decision to deny a Temporary Use Permit shall be taken to the Commission in accordance with the appeal procedures of CCMC 18.02.060.

8. Outdoor Sales and Activities

(a) Outdoor sales and activities shall be permitted within the Retail Commercial, General Commercial and Industrial zoning districts, subject to the approval of the Director.

(b) Outside sales and activities must be designed to primarily promote an existing, permanently licensed primary business activity in Carson City.

(c) Promotional sales and activities or display of items not customarily related to the year-round primary business activity on a site, or the primary inventory carried by the retail outlet, may be permitted upon review and approval of the Director on a case specific basis.

(d) Any permit approved for outdoor sales and activities in accordance with this section shall include the following conditions of approval:

(1) The applicant shall observe strict compliance with the approved plot plan.

(2) The applicant shall comply with all city requirements, including the requirements of the Carson City fire department and health department.

(3) A written schedule shall be submitted to the Director, providing the number of days per month that temporary outdoor sales and displays will be conducted. The Director must be notified by the applicant in writing when display or sale of merchandise is about to begin.

9. Required Information and Plans. A Temporary Use Permit application for the review of a temporary outdoor sales and activity event shall contain:

(a) A concise statement describing the proposed event, including the purpose, type of merchandise involved, dates and times of operation, number of employees involved, provisions for on-site security, provisions for on-site parking and other pertinent information required by the Director to fully evaluate the application.

(b) An accurate plot plan for the property which represents existing conditions on the site, including entrances and exits, parking and driving areas, and an accurate representation of any proposed temporary structures, including tents, stands, traffic barriers, fences, stands, screening devices and signs.

(c) An accurate floor plan, when, in the judgment of the Director, such a plan is necessary to properly evaluate the location of the event and the effectiveness of building entrances and exits.

10. Standards. These standards are to be considered as minimums. Based on the specific particulars of a case the Director may utilize a different standard than the standard recommended by this section.

(a) Time limits. The following time limits shall be specified for each Temporary Use Permit:

(1) The period for which the Temporary Use Permit is valid, which may be for no more than 2 years.

(2) The number of days per year that the temporary use may be conducted, which may be no more than 120 days per year.

(3) The number of consecutive days the temporary use may be conducted, which may be no more than 30 consecutive days.

(4) The daily hours of operation.

(b) Display area shall be limited to that approved by the Temporary Use Permit.

(c) Site conditions. Sales activities may be conducted in a paved area when the activity does not interfere with the safe parking, traffic circulation or emergency vehicle access.

(d) Tents, stands and other similar temporary structures and temporary vehicles and mobile equipment may be utilized, provided they are clearly identified on the submitted plan and provided it is

determined by the Director that they will not impair the parking capacity, emergency access, or safe and efficient movement of pedestrian and vehicular traffic on or off site.

(e) The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed event can and will be provided during the event. Consideration must be given to the parking needs and requirements of permanent occupants of the site.

(f) There shall be a consideration of the need for the provision of temporary sanitary conveniences when permanent sanitary facilities are not readily available at the site.

(g) The height of the stacks of merchandise shall be specified in the Temporary Use Permit. A maximum height of 6 feet is recommended.

(h) The use of temporary signage shall comply with the sign requirements of Division 4 (Signs) of title 18 Appendix A, CCMC 18.16 (Development Standards).

(i) All facilities for the preparation or dispensing food shall be approved by the City health department.

(j) The use of animals in any event shall comply with the regulations of the City health department and animal control department.

(k) The site layout and use of temporary appurtenances shall be approved for use by the fire department.

(l) During and immediately after an outdoor activity takes place, the applicant shall keep the area clean from litter and debris arising from the operation.

#### 11. Permit Revocation.

(a) The Director may immediately revoke or suspend the permit, or deny either the issuance or renewal thereof, if it is found that:

(1) The applicant or permittee has violated or failed to meet any of the provisions of this section or conditions of the permit;

(2) The operation is detrimental to the surrounding businesses or to the public due to either appearance or conditions of safety;

(3) Any required licenses have been suspended, revoked, or canceled; or

(4) The scheduled hours of operation are not followed.

(b) Upon suspension or revocation, the Director shall notify in writing the applicant or permittee of the action that has been taken and the reasons for it.

(c) Violation of an issued permit or of the provisions of this section also may be grounds for denial of future permit applications.

(Ord. 2001-23 § 2 (part), 2001). ( [Ord. No. 2008-33, § I, 9-4-2008](#) )

#### **18.02.120 - Moratorium.**

The Board may declare a moratorium on the acceptance and processing of planning applications or permits for a specific type of application or a specific geographical area and for a specified length of time for the purposes of preparing applications to the City.

1. Initiation. Only the Board through resolution may initiate the process for declaring a moratorium. The Commission may recommend a resolution to initiate the process for declaring a moratorium to the Board.

2. Commission Hearing. Should the Board initiate the process to declare a moratorium, the Board shall first refer the matter to the Commission for a recommendation regarding the moratorium. The Commission shall then conduct a public hearing not more than 45 days after the date of referral by the Board.

3. Notice of Commission Hearing. Notice of the date, time and place of the public hearing shall be published in a newspaper of general circulation in Carson City not less than 10 days prior to the date of the public hearing to be conducted by the Commission. The notice shall describe why the moratorium is being proposed, what the proposed moratorium shall affect, the area that is affected by the moratorium, the anticipated length of time of the moratorium, and other pertinent information in such a manner that the moratorium and its effects can be clearly identified.

4. Commission Recommendation. After completion of the public hearing by the Commission, it may recommend that the Board approve a moratorium, modify the extent and area of moratorium, or that the moratorium not be imposed. A recommendation to declare a moratorium shall require a two-thirds majority vote of the total membership of the Commission.

5. Findings. When making its recommendation for approval or modification, the Commission, shall, at a minimum, make the following findings of fact:

(a) The moratorium is necessary to promote the health, safety and welfare of the area described in the moratorium declaration;

(b) The moratorium is necessary to permit the staff, the Commission, the Board and the public to focus on the efficient and effective preparation of an amendment to the Master Plan or CCMC; and

(c) The moratorium is necessary because continued development during the proposed moratorium period possibly would result in development that may conflict with the Master Plan or Zoning Code Amendment.

6. Commission Report. Not more than 45 days after the action by the Commission, a report describing the proposed moratorium, discussion at the public hearing, and the action and vote by the Commission shall be transmitted to the Board. Failure to report within the time limit provided in this subsection or failure to schedule a hearing not more than 45 days after the date of referral of the matter by the Board to the Commission shall constitute a recommendation not to declare a moratorium.

7. Board Hearing. The Director shall schedule a public hearing before the Board not more than 30 days after date of the Commission's action.

8. Notice of Board Hearing. Notice of the date, time and place of the public hearing shall be published in a newspaper of general circulation in Carson City not less than 10 days prior to the public hearing date. The notice shall describe why the moratorium is being proposed, what the proposed moratorium shall affect, the area that is affected by the moratorium, the anticipated length of time of the moratorium, and other pertinent information in such a manner that the moratorium and its effects can be clearly identified.

9. Required Vote. After completion of the public hearing by the Board, it may declare a moratorium by a simple majority vote of the Board members in attendance.

10. Affirmation of Findings. In declaring a moratorium, the Board shall, at a minimum, affirm the findings of fact contained in the Commission's recommendation or, if the Commission did not make these findings, shall make the findings of fact in subsection 5 of this section.

11. Period in Effect. A moratorium declared by the Board shall be in effect for a period of not less than 90 days and not more than 180 days after the date of effectuation. The Board may only extend the moratorium for an additional 60-day period before holding another public hearing pursuant to the provisions of this section.

(Ord. 2001-23 § 2 (part), 2001).

#### **18.02.130 - Reasonable accommodation.**

1. Notwithstanding any other provision of this title, Carson City shall at all times comply with the applicable requirements concerning the granting of reasonable accommodations as set forth in the Fair Housing Act of 1968, 42 U.S.C. §§ 3601 et seq., and any regulations adopted pursuant thereto.

2. A request for a reasonable accommodation made pursuant to subsection 1 must be submitted in writing to the Director for approval or denial as an administrative decision, which may be appealed in accordance with CCMC 18.02.060. The Director:

(a) Must issue his or her decision in writing; and

(b) May deny a request for a reasonable accommodation only if the denial does not constitute a violation of federal or state law or regulation.

(Ord. 2017-29, 2017)