STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, SEPTEMBER 1, 2015 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

AGENDA

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Members of the Board of County Commissioners also serve as the Board of Fire Commissioners for the Storey County Fire Protection District, Storey County Brothel License Board, Storey County Water and Sewer System Board and the Storey County Liquor and Gaming Board and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. **CALL TO ORDER AT 10:00 A.M.**
2. **PLEDGE OF ALLEGIANCE**
3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for September 1, 2015
4. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for August 18, 2015

CONSENT AGENDA

(All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.)

5. For possible action approval of Payroll Checks date 08/14/15 $452,895.00. Accounts payable checks date 08/21/15 for $1,556,416.77 and $6,382.67.

6. For possible action approval of Assessor's recommended corrections to 2015-16 Tax Roll for Exemptions to tax roll.

7. For possible action approval of Assessor's recommended corrections to 2015-16 Tax Roll for Partial Property Tax Abatements pursuant to NRS 361.4722 through 361.4724.

8. For possible action approval of Liquor License First Readings:
   A. Storey County School District

9. For possible action approval of Business Licenses First Readings:
   A. AMERICAN MINING & TUNNELING, LLC -- Contractor / 19208 E. Broadway ~ Spokane, WA (mining services)
   B. P & L FENCING & IRON, LLC - Contractor / 2842 Marco Street ~ Las Vegas (steel fabrication)
   C. CROP PRODUCTION SERVICES, INC. - General / 3005 Rocky Mountain Ave ~ Loveland, CO (distributor of crop input)
   D. SOIL TECH, INC - Contractor / 6420 South Cameron ~ Las Vegas (general contractor/engineer)
   E. GARTNER REFRIGERATION & MFG - Contractor / 13205 16th Ave. North ~ Plymouth, MN (refrigeration contractor)
   F. NEIL ADAMS CONSTRUCTION, INC. - Contractor / 6490 S. McCarran ~ Reno (general contractor)
   G. BRYCON CORPORATION - Contractor / 134 Rio Rancho Blvd ~ Rio Rancho, NM (general contractor)

END OF CONSENT AGENDA

10. **DISCUSSION ONLY (No Action - No Public Comment):** Committee/Staff Reports

11. **BOARD COMMENT (No Action - No Public Comment)**

12. **DISCUSSION/POSSIBLE ACTION:** Milan Drive Extension Reimbursement of Bid Approval

13. **DISCUSSION/POSSIBLE ACTION:** Approve application by Dr. Vincent Malfitano for Liquor and General Business licenses for The Bonanza & The Delta.

14. **DISCUSSION/POSSIBLE ACTION:** Approve second reading of Ordinance 15-266 an ordinance amending Storey County Code section 17.12.064 Public Utility Uses to establish a procedure for permitting aboveground utility projects and renewable energy generation projects and providing for other properly related matters.

15. **DISCUSSION/POSSIBLE ACTION:** Consideration of Commissioner request for County to provide necessary funding to cape seal the approximately 2 +/- miles of Cartwright Road owned by the Home Owner's Association(s).

COMMUNITY DEVELOPMENT AND PLANNING

16. **DISCUSSION/POSSIBLE ACTION:** FIRST READING Ordinance No. 15-269: Application No. 2014-020 by the Tahoe-Reno Industrial Center, LLC to amend the text of Storey County Code Title 17 (Zoning Ordinance) by adding chapter 17.39 IC Industrial-Commercial Zone. The intent

of the proposed IC Zone is to provide for certain mixed-use industrial and commercial uses where found appropriate by the board with recommendation by the planning commission. Additional information including, but not limited to, reports and the draft zone text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org.

17. **DISCUSSION/POSSIBLE ACTION:** FIRST READING Ordinance No. 15-268 (Zone Text Amendments). An ordinance amending Storey County Code Title 17 Zoning to update the procedures and requirements of the title by amending the following chapters: Ordinance title page; Chapter 17.03 Administrative Provisions; 17.06 Nonconforming Uses; 17.08 Zones Generally; 17.10 Definitions; Chapter 17.12 General Provisions; 17.15 P Public Zone; 17.16 R-1 Single-Family Residential Zone; 17.20 R-2 Multi-Family Residential Zone; 17.24 A Agriculture Zone; 17.28 C Commercial Zone; 17.30 C-R Commercial-Residential Zone; 17.32 F Forestry Zone; 17.34 I-1 Light Industrial Zone; 17.35 I-2 Heavy Industrial Zone; 17.36 I-3 Heavy Industrial Zone; 17.38 I-S Special Industrial Zone; 17.40 E Estate Zone; 17.44 SPR Special Planning Review Zone; 17.48 Historic Overlay District; 17.56 PUD Planned Unit Development; 17.76 N-R Natural Resources Zone; 17.84 Signs and Billboards; 17.92 Mineral Exploration Mining and Extraction; and other properly related matters. Public participation is encouraged. Copies of the text amendments may be obtained from the Planning Department website at www.storeycounty.org/521/updates, at 775.847.1144 or from planning@storeycounty.org.

18. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2015-027, by Ronald Jensen. The applicant requests a boundary line adjustment between the two properties located at 21410 Sazarac Road and 2115 Conestoga road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

19. **DISCUSSION/POSSIBLE ACTION:** Special Use Permit 2015-028, Jeffrey Rockstrom. The applicant is requesting a Special Use Permit to conduct business outside of a permanent building, i.e., operate a Hot Dog Trailer in Virginia City.

20. **FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:**
    A. SOLAR UNITED NETWORK -- Contractor / 3555 Airway Drive #314 ~ Reno (solar contractor)
    B. BI NUTRACEUTICALS, INC. - General / 625 Waltham Way #101 (milling botanicals) TRI
    C. UNIQUE BUILDING GROUP - Contractor / 6390 Greenwich Drive ~ San Diego (lathing contractor)
    D. A-Z TRUCK MARINE AND RV - General / 3033 Waltham Way (repair, parts, access.) TRI
    E. RICH DOSS, INC. - General / 201 Wild Horse Canyon Drive (transportation) MCC

21. **PUBLIC COMMENT (No Action)**

22. **ADJOURNMENT**

NOTICE:

- Anyone interested may request personal notice of the meetings.
- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.

- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

Storey County is an equal opportunity provider and employer.

CERTIFICATION OF POSTING

I, Vanessa Stephens , Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before August 27, 2015; Virginia City Post Office at 132 S C St, Virginia City, NV, the Storey County Courthouse located at 26 S B St, Virginia City, NV, the Virginia City Fire Department located at 145 N C St, Virginia City, NV, the Virginia City Highlands Fire Department located a 2610 Cartwright Rd, VC Highlands, NV and Lockwood Fire Department located at 431 Canyon Way, Lockwood, NV.

By Vanessa Stephens

Vanessa Stephens Clerk-Treasurer

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: September 1, 2015 **Estimate of time required:** 5 min.

Agenda: Consent [ ] Regular agenda [X] Public hearing required [ ]

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1. **Title:** Approval of minutes for August 18, 2015

2. **Recommended motion:** Approve minutes as submitted.

3. **Prepared by: Vanessa Stephens**

   Department: Clerk & Treasurer **Telephone: 775 847-0969**

4. **Staff summary:** Minutes are attached.

5. **Supporting materials:** Attached.

6. **Fiscal impact: N/A**

   Funds Available: Fund: ____ Comptroller

7. **Legal review required: N/A**

   ____ District Attorney

8. **Reviewed by**:

   VS Department Head Department Name: Clerk & Treasurer

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications
   [ ] Denied [ ] Continued

Agenda Item No. 4

STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, AUGUST 18, 2015 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Roll Call: Chairman McBride, Commissioner McGuffey, County Manager Pat Whitten, Clerk & Treasurer Vanessa Stephens, District Attorney Anne Langer, Comptroller Hugh Gallagher, Public Works Director Mike Nevin, Fire Chief Gary Hames, Community Services Director Cherie Nevin, Sheriff Gerald Antinoro, Deputy Sheriff Melanie Keener, Battalion Chief Rob DuFresne, Battalion Chief Jeff Nevin, Recorder Jen Chapman, Senior Planner/Administrative Officer Austin Osborne, Planner Jason Van Havel, Fire Inspector Fritz Gibbons.

Absent: Vice-Chairman Gilman

1. **CALL TO ORDER AT 10:00 A.M.**
   The meeting was called to order by the Chair at 10:06am

2. **PLEDGE OF ALLEGIANCE**
   Commander Peterson of VFW Post 8071 led those present in the Pledge.

3. **DISCUSSION/POSSIBLE ACTION:** Approval of Agenda for August 18, 2015

   Motion: Approve Agenda for August 18, 2015, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chair McBride, **Vote:** Motion carried by unanimous vote **(Summary:** Yes=2)

4. **DISCUSSION/POSSIBLE ACTION:** Approval of Minutes for August 4, 2015

   Commissioner McGuffey requested the following corrections: Page 3, Win Buck should read Gwen Buck; Page 5, Earth Day should read Birthday Day.

Motion: Approve Minutes for August 18, 2015, with corrections, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote (**Summary:** Yes=2)

CONSENT AGENDA

5. For possible action approval of Payroll Checks date 07/31/15 $335,551.77, 08/03/15 for $2,125.03 and 08/05/15 for $77,408.28 and $170,882.05. Accounts payable checks date 07/31/15 for $6,991.50, 08/07/15 for $176,426.32 and 47,170.74.

6. For possible action approval of Assessor's recommended changes to tax roll.

7. For possible action approval of Treasurer Report for July 2015.

8. For possible action approval of Business Licenses First Readings:
   A. SOLAR UNITED NETWORK -- Contractor / 3555 Airway Drive #314 ~ Reno (solar contractor)
   B. BI NUTRACEUTICALS, INC. - General / 625 Waltham Way #101 (milling botanicals) TRI
   C. UNIQUE BUILDING GROUP - Contractor / 6390 Greenwich Drive ~ San Diego (lathing contractor)

END OF CONSENT AGENDA

Motion: Approve Consent Agenda for August 18, 2015, **Action:** Approve, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion passed by unanimous vote, **Summary:** (Yes=2)

9. **DISCUSSION ONLY:** Presentation by the Nevada VFW post 8071 awarding Storey County FF/PM Ben Brown as "Nevada Paramedic of the Year."

   Dave Szabo, representing Nevada VFW Post 8071, introduced VFW members in attendance. Commander Peterson read and presented the Nevada Paramedic of the Year award to Virginia City Fire Department fireman/paramedic Ben Brown.

10. **DISCUSSION/POSSIBLE ACTION:** Recognition of Maggie Lowther for years of service.

    County Manager Whitten gave a presentation in recognition of Maggie Lowther for many years of service as a lobbyist representative for Storey County at the Nevada State Legislature. Maggie has attended five legislative sessions, countless special sessions and many sub-committee hearings. Ms. Lowther received a plaque from Mr. Whitten on behalf of the County.

    Ms. Lowther thanked and appreciates the County for this recognition.

    Chair McBride expressed appreciation for all the assistance he has received from Ms. Lowther.

11. **DISCUSSION ONLY (No Action - No Public Comment):** Committee/Staff Reports

    Ron Engelbrecht, Mark Twain Community Center:

- A community meeting will be held August 27th, at the Community Center. Dinner will be served at 6PM; the meeting starts at 7PM. County representatives will be attending to answer questions and discuss current issues.
- Elections for new officers will be held next month. Modifications are being made to the by-laws to make this process easier.

Cherie Nevin, Community Services Director:

- The Nevada Health Center's Mammography van will be in Virginia City on Friday, August 21st, 8AM to 3:30PM, at the Silverland parking lot. Appointments are necessary. Most insurance and Medicare are accepted and there is also a sliding fee schedule.
- The income survey for Mark Twain residents will begin in September. The Economic Development Center from UNR will act as the facilitator for this project.
- 65 Fullbright Scholars will be in Virginia City on August 19th. They will attend lunch at the park, take a train ride, and end with a panel discussion at the Fourth Ward School.

Gary Hames, Fire Chief:

- Fire Station 75 in TRIC was reopened August 10th. Everything is going well and the Station has been very busy.
- The Fire Department has a received a Safer Grant which will allow the Department to hire 12 additional employees.
- The new engines and ambulances are all on-line and working extremely well.
- A number of personnel have been off-line being sent to California and other areas.
- A Fuels Grant through the Division of Forestry has been received. With these funds a new excavator has been ordered. The funds will allow the Department to retain nine month personnel on through the winter to do fuel reductions. This includes acreage in the Highlands, Bailey Canyon, Six Mile Canyon, and in and around Mark Twain.

Mike Nevin, Public Works Director:

- Work has begun to apply for grant funding for improvements to Miners Park. The grant has been finalized and official approval should be received in November. Work would be begin the spring and includes removal and replacement of all playground equipment, and work on the grounds including the addition of sidewalks. Thanks to Cherie Nevin for the hard work in completing the application.
- As mentioned in previous meetings, the water line under Highway 580 is scheduled for replacement by NDOT as part of the freeway improvement project. If the project goes as anticipated, the construction of the new piece of the siphon would be in December.
- Work began this morning - along with Lyon County Public Works - in the Mark Twain Estates subdivision, jetting out culverts that are County responsibility. Work should be completed by next week. The culverts were clogged during the June and July rain events.
- The cape/slurry seal project will be completed by the end of this week.
- The swimming pool closes this Sunday, August 23rd.

Gerald Antinoro, Sheriff:

- After several years, the Storey County Sheriff has begun housing Bureau of Indian Affairs inmates at the Detention Center. Approximately 12 inmates have been received in the last two weeks. The BIA is apparently happy with the results as they have increased their

contract amount for the next year. BIA is responsible for transporting these inmates. If these services are provided by the County, the BIA will pay for the costs of transportation.

Pat Whitten, County Manager:

- Vice Chairman Gilman apologizes for missing today's meeting as he is working on a possible new business coming in to TRIC.
- There will be a ground-breaking on Friday, August 21st, for Agua Metals, a new company coming in to the Tahoe-Reno Industrial Center.
- Another new company coming to TRIC is Bi Nutraceuticals, Inc.
- There is some progress on the issue of a zip code for the industrial park and to repair the mis-identification that a small county has in using multiple zip codes. Stephanie Walker, Congressman Amodei's senior staffer, has toured the park and was excited and astounded at what was there. Ms. Walker indicated that she and the Congressman are going to get the County the zip code.
- Zulilly, a company located at the Industrial Park, has been acquired by the parent company owning QVC.

Commissioner McGuffey asked for clarification regarding Park funds available for the Highlands. How are funds spent and what are the limits of what it can be spent on?

Hugh Gallagher, Comptroller - In response to Commissioner McGuffey's questions:

- The balances in the Park Fund will be corrected because the penalty interest that was applied before is not going to be the case. Consequently there will be a little less.
- Statute 278 states the collection of the tax for new home construction can be spent on following purposes: Facilities - turf, trees, irrigation, playground apparatus, playing fields, areas to be used for organized amateur sports, play areas, picnic areas, horseshoe pits, and other recreational equipment or apparatus designed to serve the natural persons, families, and small groups from the neighborhood from which the tax is collected.
- It is suggested that bids would be in order for the purchase of any of the foregoing.
- Mr. Gallagher feels that "areas to be used for organized amateur sports" would include walkways to get to the area.

Commissioner McGuffey said residents in the Highlands have brought up the issue of sidewalks for handicapped persons to enable them to access the park and mainly the gazebo.

Mr. Gallagher stated anywhere you have a park there would be ADA requirements which fits "hand in hand".

Commissioner McGuffey asked if the County can spend the funds on what the County thinks the park needs.

Mr. Gallagher indicated yes, this has been done with the park in Virginia City and Mark Twain. The County certainly would like to have ideas from residents in the area of the park as their needs may be different than the County's.

12. **BOARD COMMENT (No Action – No Public Comment)**

Commissioner McGuffey:

- The Volunteer Fire Department held its annual Spaghetti Feed last weekend. It appeared to be successful. The band, Lady and the Tramps, did a great job.
- At the Spaghetti Feed, residents requested - with schools re-opening - additional Sheriff presence at the bus stop near Cartwright and Lousetown.

Chairman McBride:

- Also attended the Spaghetti Feed on Saturday night and enjoyed the evening.
- Driving to and from the Highlands provided a chance to see all of the roadwork that has been and is being done in the area.
- An issue that is always brought up is the two miles from Saddleback to the firehouse which is the responsibility of the homeowners.
- Realizing that this road is privately owned property and not wanting to set precedence, there are several items and maintenance issues on the two mile stretch of road that should be addressed. This should be presented at a future meeting to discuss if and how these issues may be resolved.

District Attorney, Anne Langer, stated that legal issues would be researched.

County Manager Whitten said if there is a legal path, the County might have funds to provide the work needed on that two-mile portion of road.

- Chair McBride acknowledged the weekend death of a Carson City Sheriff's Deputy and also the recent death of a Tahoe firefighter, both while performing their respective duties.

13. **DISCUSSION/POSSIBLE ACTION:** Notice of intent to file application with USDA Rural Development for funding to complete the remaining phases on the Virginia Divide Sewer System.

Cherie Nevin presented the item. This is a request for approval to file a loan grant application with the USDA Rural Development Utilities Programs for the purpose of financing the remaining phases on the rehabilitation of the Virginia Divide Sewer System to meet the present and future needs of demands on the system. The total cost of the remaining phases is approximately 13 million dollars. It is hoped the County will receive a 75% grant, 25% loan. Phases 2 through 5 would be the collection system to bring all piping into the plant. The 4th phase will connect Gold Hill to the Virginia City system.

USDA representatives have come from Washington DC to review these projects. What is here is very unique and old, and in need of replacement. USDA is encouraging the County to submit this application. USDA is doing a tremendous job in lobbying for this project and getting the County these funds.

Commissioner McGuffey asked if there is indication that water/sewer rates will take a big jump as on phase 1. This is a small population for a big project.

Mr. Whitten answered that initially it was planned to phase this project over many years. However, eligibility for 75% grant funds is rapidly becoming more challenging. Also, costs increase every year and the chances of a higher loan – like a 33% loan instead of 25% - go up. Ways to do this (project) without increasing the debt burden on the rate payers, are being explored. There may be other funding or sources to help repay the loan.

Commissioner McGuffey asked if there was any thought to addressing the issue of new water pipes at the same time the sewer pipes are being put in.

Mike Nevin responded that the water system, with the exception of certain areas in Virginia City proper, is in pretty decent shape. The vast majority of the water side is fairly recent – within the last 30 years. A couple of projects have been identified through a separate grant application. There are issues with BLM and additional right-of-ways that need to be acquired. USDA requires the water issue to be a separate project. Farr West is completing the process required to obtain additional BLM right-of-ways for some of these projects. There are some sewer lines through private properties.

Chair McBride said it is exciting that since the completion of the new wastewater treatment plant, representatives from USDA Rural Development have come to see what has been done and they love it. It is USDA's suggestion that the County move forward with this project. USDA is here to help us.

Cherie Nevin complimented the staff of USDA, who are completely supportive of all of these projects.

No public comment.

Motion: To file an application with USDA Rural Development for funding to complete the remaining phases on the Virginia Divide Sewer System, **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote (**Summary:** Yes=2)

COMMUNITY DEVELOPMENT AND PLANNING

14. **FOR POSSIBLE ACTION, LICENSING BOARD SECOND READINGS:**
    A. L. K. TOWNE CONSTRUCTION -- Contractor / 949 East Roland Street ~ Carson City (contractor)
    B. SIMERSON CONSTRUCTION – Contractor / 2701 Conestoga Drive ~ Carson City (contractor)
    C. THE BUCKNER HOUSE – General / 81 North A Street (short-term house rental) VC
    D. TESLA MOTORS, INC. – Contractor / 3500 Deer Creek Road ~ Palo Alto, CA (general contractor)
    E. VIVID VISTAS – HB / 401 Canyon Way #20 (handyman) LW
    F. VETERAN CONSTRUCTION, LLC – Contractor / 170 James Avenue ~ Dayton (contractor)
    G. A-Z TRUCK MARINE AND RV – General / 3033 Waltham Way (repair, parts, access.) TRI
    H. RICH DOSS, INC. – General / 201 Wild Horse Canyon Drive (transportation) MCC

On behalf of Community Development, County Manager Whitten, requested approval of items a., b., c., d., e., and f., and continuance of items g. and h.

Motion: Approve items a., b., c., d., e., and f., **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote (**Summary:** Yes=2)

Motion: Continue items g. and h., **Moved by:** Commissioner McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote (**Summary:** Yes=2)

15. **PUBLIC COMMENT (No Action)**
None

16. **ADJOURNMENT**
The meeting was adjourned by the Chair at 11:19am

Respectfully Submitted,

By Vanessa A Stephens
Vanessa Stephens Clerk-Treasurer

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: September 1, 2015 **Estimate of time required:** 0 min

Agenda: Consent [x] Regular agenda [] Public hearing required [ ]

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1. For possible action approval of Payroll Checks date 08/14/15 $452,895.00. Accounts payable checks date 08/21/15 for $1,556,416.77 and $6,382.67.

2. **Recommended motion:** Approval of claims as submitted.

3. **Prepared by: Hugh Gallagher**

   Department: Comptroller **Telephone: 775 847-1006**

4. **Staff summary:** Please find attached the claims

5. **Supporting materials:** Attached

6. **Fiscal impact:**

   Funds Available: NA Fund: NA __NA__ Comptroller

7. **Legal review required:**

   _NA_ District Attorney

8. **Reviewed by:**

   VS Department Head Department Name: Comptroller

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications
   [ ] Denied [ ] Continued

Agenda Item No. 5

Payroll Type: Regular Check Date: 08/14/15 Period-end Date: 08/09/15
Payroll Groups: 1 2 3 4 5 6 7 8

Check/ DD #	Emp #/ Ded #	Payee	Amount
Total User Transfer for EFTPS:			61,467.85
Total Deductor Checks:			103,737.30
Total Employee Checks:			1,718.22
Total Employee Direct Deposit:			270,564.15
Total Employee Deds Xferd on Dir Dep File:			7,292.50
Total User Transfer to Deductor:			8,114.98
Total Disbursed:			452,895.00

Approved by the Storey County Board of Commissioners: _____

_____ _____ _____

CHAIRMAN COMMISSIONER COMMISSIONER

_____ _____

COMPTROLLER

_____ _____

TREASURER

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
83061	ADVANCED DATA SYSTEMS INC						
		AGREEMENT JULY		8/21/15	73942	1,620.00	1,620.00
83062	AIRGAS NCN INC						
		EMS SUPPLIES		8/21/15	74015	25.11	
		EMS SUPPLIES		8/21/15	74015	69.38	94.49
83063	ALSCO INC						
		ST 75 LAUNDRY		8/21/15	74016	10.52	
		ST 71 LAUNDRY		8/21/15	74016	13.84	
		ST 72 LAUNDRY		8/21/15	74016	8.77	
		ST 75 LAUNDRY		8/21/15	74016	10.52	
		ST 74 LAUNDRY		8/21/15	74016	10.52	
		CH		8/21/15	73954	36.80	
		SHOP		8/21/15	73954	45.69	
		SHOP		8/21/15	73954	50.79	
		CH		8/21/15	73954	37.30	224.75
83064	AMSTERDAM PRINTING/LITHO						
		STYLUS PENS FOR GIFT SHOP		8/21/15	74091	1,058.87	1,058.87
83065	ARROYO, AUGGIE						
		BIG CREEK FUEL		8/21/15	74014	35.00	35.00
83066	AT&T TELECONFERENCE SERVI						
		TELECONFERENCE		8/21/15	74102	64.20	64.20
83067	BANK OF AMERICA #2704						
		NO. BOULDER FUEL		8/21/15	74019	48.44	
		NO. BOULDER FUEL		8/21/15	74019	55.01	
		NO. BOULDER TRAVEL MEAL		8/21/15	74019	6.95	
		NO. BOULDER FUEL		8/21/15	74019	59.00	
		NO. BOULDER TRAVEL MEAL		8/21/15	74019	7.25	
		BRUNO CREEK TRAVEL MEAL		8/21/15	74019	19.64	
		BRUNO CREEK CART RENTAL		8/21/15	74019	9.00	205.29
83068	BENDER, DEBORAH						
		JULY 30-AUG 12, 2015		8/21/15	74055	60.00	60.00
83069	BERRY ENTERPRISES						
		NEW HIRE RADIOS		8/21/15	74017	9,356.16	9,356.16
83070	BING CONSTRUCTION CO OF N						
		VC PATCHING		8/21/15	73956	1,130.04	1,130.04
83071	BOB BARKER COMPANY INC						
		INMATE UNIFORMS		8/21/15	73993	1,033.12	
		INMATE UNIFORMS		8/21/15	73993	42.98	
		INMATE UNIFORMS		8/21/15	73993	295.35	1,371.45
83072	BOURNS PRODUCTIONS INC.						
		HAN VIDEO PRODUCTION		8/21/15	74056	550.00	550.00
83073	BURRELL, SCOTT LEWIS						
				8/21/15	74057	112.50	
		JULY 30-AUG 12, 2015		8/21/15	74057	600.00	712.50
83074	BURTON'S FIRE INC						
		FR32907-VALVE KIT		8/21/15	73955	193.84	
		CLAIM A FOAM		8/21/15	74018	4,317.60	4,511.44
83075	BUSINESS SERVICES & DEVEL						
		POS MAINT. ON KD COMPUTER		8/21/15	74058	65.00	65.00
83076	CAMPBELL, CHYANN						
		CITATION 27502		8/21/15	74089	55.00	55.00
83077	CAPITAL CITY AUTO PARTS						
		FR HUMR-BELTS		8/21/15	73957	154.52	
		SR54234-OIL SEAL		8/21/15	73957	28.59	
		SO62212 SENSOR VALVE		8/21/15	73957	15.60	
		FR58903-FUSE HLDR		8/21/15	73957	13.96	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
		FR58909- OIL FLTR		8/21/15	73957	29.89	
		STOCK FILTERS		8/21/15	73957	87.48	
		SHOP-TAP 14 X1		8/21/15	73957	8.49	338.53
83078	CARSON SMALL ENGINES						
		PARKS-CHN SAW SUPPLIES		8/21/15	73958	70.71	70.71
83079	CARSON VALLEY OIL CO INC						
		PW-UNL & DSL		8/21/15	73959	2,574.00	
		VCH-UNL & DSL		8/21/15	73959	782.61	
		PW- UMNL & DSL		8/21/15	73959	2,111.72	5,468.33
83080	CASELLE INC						
		SEPT SUPPORT		8/21/15	73960	202.00	202.00
83081	CASH 1, LLC						
		GARNISH - 15 SSC 0505		8/21/15	74008	302.76	302.76
83082	CFOA						
		BACUS & NEVIN		8/21/15	74045	100.00	100.00
83083	CHARM-TEX						
		INMATE UNIFORMS		8/21/15	73996	43.54	43.54
83084	CINDERLITE TRUCKING CORP						
		TRUCKING SAND MARKTWAIN		8/21/15	74011	125.00	
		SAND- MARK TWAIN		8/21/15	74011	96.74	221.74
83085	CITY OF CARSON TREASURER						
		STOREY CO DRUG COURT FEES		8/21/15	73940	60.00	60.00
83086	COLLINS CONSTRUCTION						
		FAIRGROUNDS EXPENSE		8/21/15	74059	1,200.00	
		BRDWLK REPAIRS BLACK HWL		8/21/15	74059	1,431.43	2,631.43
83087	COMSTOCK CHRONICLE (VC)						
		ZONE TXT AMND NOTICE		8/21/15	73986	87.75	
		ZONING TEXT AMENDMENTS		8/21/15	74049	175.50	
		CLERK APP POSTIN		8/21/15	74101	53.63	
		SPECIALIST APP POSTING		8/21/15	74101	53.63	
		MEDIC APP POSTING		8/21/15	74101	97.50	
		& SEAS.FF/EMT APP POSTING		8/21/15	74101	136.50	
		ONE YEAR SUBSCRIPTION		8/21/15	74060	50.00	
		ASSISTANT		8/21/15	74101	68.25	
		USDA APPLICATION NOTICE		8/21/15	74092	91.00	813.76
83088	COMSTOCK GOLD MILL LLC						
		JULY 30-AUG 12, 2015		8/21/15	74061	8.00	
				8/21/15	74061	64.00	72.00
83089	COSTCO HSBC BUS SOLUTIONS						
		521726883000		8/21/15	73961	207.46	
		SUPPLIES 8/19 FULBRIGHT		8/21/15	74010	84.58	292.04
83090	CUSTOM GLASS						
		CH-ASSESSOR WINDOW REPR		8/21/15	73984	1,153.00	1,153.00
83091	DAIOHS USA INC						
		CH WATER		8/21/15	73962	51.90	51.90
83092	DISH DBS CORPORATION						
		800 PERI RANCH RD		8/21/15	74093	72.00	72.00
83093	ELLIOTT AUTO SUPPLY INC						
		SO BATTERY CREDIT		8/21/15	73963	42.09-	
		IT54235-BRK DRUM		8/21/15	73963	41.77	
		SHOP- BRAKE CLEAN		8/21/15	73963	22.68	
		SO56312-BRAKES, ROTORS		8/21/15	73963	258.58	
		SO62212- HUB R		8/21/15	73963	104.72	
		SR54234- TRAC 11 TRANS		8/21/15	73963	19.32	
		SO58905- TRUVIEW		8/21/15	73963	43.16	
		FR62657-DEL 65 PG		8/21/15	73963	103.91	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
		FR62657-LOCK ACTUATOR		8/21/15	73963	35.23	
		FR62657-LOCK ACTUATOR		8/21/15	73963	34.02	
		SO58904-BLADES		8/21/15	73963	7.98	
		SO58904- DEL65PG		8/21/15	73963	103.91	
		SO57460- CENTRIC		8/21/15	73963	25.98	
		SHOP-ELECT TAPE		8/21/15	73963	19.64	
		FR62657-LOCK ACTUATORS		8/21/15	73963	69.25	848.06
83094	F AND P CONSTRUCTION CO I						
		CENTER PROJECTS 2015		8/21/15	73944	16,243.00	16,243.00
83095	FARR WEST ENGINEERING						
		WALL & PKG LOT		8/21/15	73945	4,030.50	
		PROJECT		8/21/15	73945	555.00	
		CAPE SEAL- TRI		8/21/15	73964	2,641.36	
		MAP OPTIX MAINT		8/21/15	73964	315.00	
		MAP OPTIX ANNUAL FEE		8/21/15	73964	2,400.00	9,941.86
83096	FASTENAL COMPANY						
		FRR-71- SCREWS		8/21/15	73965	19.54	19.54
83097	FERGUSON ENTERPRISES INC						
		REPAIR CLAMPS		8/21/15	73967	371.78	
		STOCK-PLUMBING		8/21/15	73967	655.41	1,027.19
83098	FERRELLGAS LP						
		WTR PLANT		8/21/15	73966	635.08	
		COURTHOUSE		8/21/15	73966	305.81	940.89
83099	RAYBURN, STUART						
		CYLINDER		8/21/15	74100	1,700.50	1,700.50
83100	FITCH, PETER						
		BRUNO CREEK MEAL		8/21/15	74020	16.00	16.00
83101	FLAG STORE OF NEV INC-THE						
		ST 75 FLAGS		8/21/15	74021	65.95	65.95
83102	FLYERS ENERGY LLC						
		LW-REG & DSL		8/21/15	73968	757.75	757.75
83103	GRAINGER						
		LEAK RPR KIT/TRAIN SUIT		8/21/15	73935	603.40	
		ABSORBENT PADS		8/21/15	73935	44.56	
		MERCURY SPILL KIT/BAGS		8/21/15	73935	846.00	
		CLEANING SUPPLIES		8/21/15	73970	721.79	
		DIVIDE RES-CABLE		8/21/15	73970	354.45	
		DIVIDE RES-ROPE CLIPS		8/21/15	73970	43.12	2,613.32
83104	GRANSBERY, TOM						
		45 X 11		8/21/15	74104	495.00	
		45 X 8		8/21/15	74104	360.00	855.00
83105	GREAT BASIN TERMITE & PES						
		100 TOLL 1/4 SERVICE		8/21/15	73971	35.00	
		LW SR CNTR-QUARTERLY SERV		8/21/15	73971	65.00	100.00
83106	GRIMM, JUSTIN LEIGH						
		FORK COMPLEX REPAIRS E174		8/21/15	74022	40.00	40.00
83107	HAYMORE, DEAN						
		2 SHIRTS/MC BRIDE		8/21/15	73946	43.02	43.02
83108	HENRY SCHEIN						
		CREDIT MEMO		8/21/15	74024	58.86-	
		EMS SUPPLIES		8/21/15	74024	1,389.45	1,330.59
83109	HIGH DESERT MICROIMAGING						
		IMG-FILM FEE SHEETS		8/21/15	74026	46.57	46.57
83110	HISTORIC FOURTH WARD SCHO						
		JULY 30-AUG 12, 2015		8/21/15	74062	3.50	
				8/21/15	74062	26.00	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
				8/21/15	74062	206.50	236.00
83111	HOME DEPOT CREDIT SERVICE						
		GH DEPOT MATERIALS		8/21/15	74054	11.51	
		CONDUIT-DIV RES		8/21/15	73972	19.03	
		WIRE LUBE-DIV RES		8/21/15	73972	14.97	
		LW PARK-SPRINKLER		8/21/15	73972	26.14	
		STAPLER AND STAPLES		8/21/15	74052	36.08	107.73
83112	HOOD, CHRIS						
		IAPMO ANNUAL MEMBERSHIP		8/21/15	74038	191.25	191.25
83113	HOT SPOT BROADBAND INC						
		9/2/2015-10/01/2015		8/21/15	74063	120.00	120.00
83114	INNOVATIVE IMPRESSIONS						
		BIZ CARDS, D12, D3, D6		8/21/15	73992	124.20	124.20
83115	IRON MOUNTAIN INFO MGT IN						
		NT147 AUG 2015		8/21/15	74027	241.20	
		SHRED BIN CONSOLE		8/21/15	73947	42.19	
		SHRED BIN CONSOLE		8/21/15	73947	210.94	494.33
83116	IT1 SOURCE LLC						
		SMARTNET CH WIRELESS		8/21/15	74051	48.72	
		FD SERVER		8/21/15	74051	6,125.56	
		OFFICE 2013 PRO X 2		8/21/15	74051	745.14	
		2 X 10GB NICS		8/21/15	74051	1,318.88	
		1 X 10GB NIC VMWARE		8/21/15	74051	699.00	
		FD SERVER		8/21/15	74051	200.04	
		FD SERVER		8/21/15	74051	1,378.00	10,515.34
83117	JAY BETZ MD CONSULTING CP						
		BENT, DUPREE & ROBBINS		8/21/15	74001	275.00	275.00
83118	JBP LLC						
		FR32907-CLAMP		8/21/15	73973	67.96	
		FR58909-A/C COMPRESS		8/21/15	73973	478.76	
		FR58909-SWITCH		8/21/15	73973	117.59	
		FR58909-EXP VALVE		8/21/15	73973	28.19	
		E173 BUZZER		8/21/15	74025	36.59	
		R71 PARTS		8/21/15	74025	185.97	915.06
83119	JONES, MARIAH						
		DEPOSIT REFUND		8/21/15	73974	100.00	100.00
83120	JUDGE EDWARD R JOHNSON						
				8/21/15	74094	97.30	97.30
83121	KIECHLER, CHRISTIAN A						
				8/21/15	74064	9.00	
		JULY 30-AUG 12, 2015		8/21/15	74064	1,323.00	
				8/21/15	74064	33.00	1,365.00
83122	KIMBALL MIDWEST						
		SHOP-MISC HARDWRE		8/21/15	73985	170.37	170.37
83123	L N CURTIS & SONS						
		PPE		8/21/15	74028	371.50	
		EMS SUPPLIES		8/21/15	74028	745.00	
		PPE		8/21/15	74028	2,656.00	
		PPE		8/21/15	74028	280.00	4,052.50
83124	LANGUAGE LINE SERVICES IN						
				8/21/15	74097	31.23	31.23
83125	LEE, JAMES DONALD						
		GARNISHMENT DISBURSED		8/21/15	74005	142.68	142.68
83126	LIQUID BLUE EVENTS LLC						
		CAMEL RACE BANK		8/21/15	74068	12,000.00	12,000.00
83127	LYON CO COMPTROLLER						

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
		JUV. TICKET		8/21/15	74090	60.00	60.00
83128	MADISON, SCOTT & LISA			8/21/15	74053	2,342.48	2,342.48
83129	MATRIX LEADERSHIP LLC	TRAINING		8/21/15	74029	900.00	900.00
83130	METRO OFFICE SOLUTIONS IN	OFFICE SUPPLIES		8/21/15	74042	51.37	
				8/21/15	74095	65.89	
				8/21/15	74085	111.26	
		INK CART., FOLDERS & ENV.		8/21/15	73997	66.32	
		OFFICE SUPPLIES		8/21/15	74030	110.69	
		ST 75 OFFICE SUPPLIES		8/21/15	74030	83.26	
		OFFICE SUPPLIES		8/21/15	74030	58.92	
		OFFICE SUPPLIES		8/21/15	74030	19.64	
				8/21/15	73948	108.96	676.31
83131	MICHAEL HOHL MOTOR CO	SO66025-PAINT		8/21/15	73975	15.25	15.25
83132	MILLERS JACKETS & UNIFORM	HONOR GUARD UNIFORMS		8/21/15	74009	738.44	738.44
83133	MORRIS, ROBERT T	BILLING FOR JULY 2015		8/21/15	74084	750.00	
		BILLING FOR JULY 2015		8/21/15	74084	2,700.00	3,450.00
83134	MOUNDHOUSE HARDWARE	OPERATING SUPPLIES		8/21/15	74031	183.09	
		OPERATING SUPPLIES		8/21/15	74031	93.22	
		PW66604-PLUMB MATER.		8/21/15	73976	210.67	
		POOL-KEY,TRN BUCKL,GLUE		8/21/15	73976	61.62	
		CH-PVC		8/21/15	73976	14.10	562.70
83135	NAPA AUTO & TRUCK PARTS	FR32907-FITTING,THREAD SE		8/21/15	73977	67.18	
		SHOP-BOTTLE JACK		8/21/15	73977	96.45	163.63
83136	NATIONAL BUSINESS FACTORS	GARNISHMENT DISBURSED		8/21/15	74006	334.93	334.93
83137	NEV COMPTROLLER	COURT TECH FILING FEE		8/21/15	73937	996.21	
				8/21/15	74098	150.00	
				8/21/15	74098	25.00	
				8/21/15	74098	35.00	
				8/21/15	74098	200.00	
		FEE		8/21/15	74098	438.00	
				8/21/15	74098	2,625.00	4,469.21
83138	NEV DEPT OF PUBLIC SAFETY	INV 150716		8/21/15	74050	314.41	
		INV 150615		8/21/15	74050	31.27	345.68
83139	NEV DEPT PUBLIC SAFETY	FINGERPRINTS JUNE BILLING		8/21/15	74000	1,453.50	
		FINGERPRINTS JULY BILLING		8/21/15	74000	1,491.75	2,945.25
83140	NEV POST	POST ACADEMY, SCHROEDER		8/21/15	74002	500.00	500.00
83141	NEV SECRETARY OF STATE	CEMETERY GIN TRADEMARK		8/21/15	74073	100.00	100.00
83142	NEV SUPREME COURT OF NV			8/21/15	74096	5,000.00	
		NCS USER FEE X 2		8/21/15	74047	5,000.00	10,000.00
83143	NEV TREASURER			8/21/15	74099	30.00	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
83144	NEVADA BLUE LTD (RNO)						30.00
		MONTHLY PORTAL FEE		8/21/15	74023	50.00	
		PORTAL MAINT		8/21/15	74034	50.00	100.00
83145	NEVADA LEGAL SERVICE INC						
		FEES COLLECTED		8/21/15	73941	221.79	221.79
83146	NEW PIG CORPORATION						
		PIPE WRAP/BOOTS		8/21/15	73936	636.19	636.19
83147	NFPA						
		NFCSS ACCESS ID 1059450		8/21/15	74033	1,255.50	1,255.50
83148	OCCUPATIONAL HEALTH CENTE						
		CLEVELAND PANEL 3		8/21/15	74035	48.50	48.50
83149	ODD FELLOWS LODGE #1						
		REFUND DUE TO EXEMPTION		8/21/15	74087	11.38	11.38
83150	OFFICE DEPOT INC						
		MAILING ENVELOPES		8/21/15	74032	46.98	
		BATT / INDEX DIVIDERS		8/21/15	74032	16.93	
		PAPER		8/21/15	74032	19.20	
		CHARGER		8/21/15	74032	29.69	
		HEPA VACUUM VAULT		8/21/15	74032	319.99	
		ENVELOPES		8/21/15	74032	7.24	
		DRAWER DIRECTOR		8/21/15	74032	4.69	444.72
83151	OFFSITE DATA DEPOT, LLC						
		SHERIFF OFFICE		8/21/15	73949	62.64	
		COMMUNITY DEVELOPMENT		8/21/15	73949	32.21	
		& STORAGE DIST ATTY		8/21/15	73949	47.31	
		JUSTICE OF PEACE		8/21/15	73949	47.93	
		CLERK OFFICE		8/21/15	73949	153.50	
		STORAGE		8/21/15	73949	13.05-	330.54
83152	OREGON AUTO FINANCE						
		GARNISHMENT DISBURSED		8/21/15	74004	112.87	
		GARNISHMENT DISBURSED		8/21/15	74004	112.87	225.74
83153	OUTFRONT MEDIA LLC						
		7/27/15 - 8/23/15		8/21/15	74069	609.00	
		8/24/15 - 9/20/15		8/21/15	74069	609.00	1,218.00
83154	PATRO, ROBERT & SHARON						
		APN 00337110		8/21/15	74086	203.07	203.07
83155	PDM STEEL SERVICE CENTER						
		WATER-STEEL TUBING		8/21/15	73978	80.90	
		FAIRGRNDS-ANGLE IRON		8/21/15	73978	99.40	180.30
83156	PETRINI, ANGELO D						
		JULY 30-AUG 12, 2015		8/21/15	74066	122.00	122.00
83157	PIERSON, JANET						
		BOOKS FOR GIFT SHOP		8/21/15	74067	186.00	186.00
83158	PITNEY BOWES GLOBAL (LEA)						
		NAME: STOREY COUNTY		8/21/15	74043	1,190.97	1,190.97
83159	PITNEY BOWES INC						
		INK CART.		8/21/15	74048	339.98	339.98
83160	PROFESSIONAL FINANCE CO I						
		GARNISH - RJC2012078979		8/21/15	74007	327.14	327.14
83161	PUBLIC EMPLY RETIREMENT						
		BURKHARDT, L		8/21/15	73950	60.33	
		AFRICA, T		8/21/15	73950	2,504.07	2,564.40
83162	PURCHASE POWER						
		ACCT 16016693		8/21/15	74041	1,900.00	1,900.00
83163	RENO GREEN LANDSCAPING IN						
		1705 PERU MAINT		8/21/15	73979	373.00	

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							373.00
83164	RENO TAHOE SPECIALTY INC	POST CARDS FOR GIFT SHOP		8/21/15	74071	162.00	162.00
83165	REYBURN, STUART	SCBA CYLINDERS		8/21/15	74036	1,912.79	1,912.79
83166	ROADSHOWS INC	STREET VIBES SPONSORSHIP		8/21/15	74070	3,000.00	3,000.00
83167	RUPPCO INC	EMS SUPPLIES		8/21/15	74037	233.10	233.10
83168	SAINT MARYS ARTCENTER INC	JULY 30-AUG 12, 2015		8/21/15	74072	44.00	44.00
83169	SAN EMETERIO	DEPOSIT REFUND		8/21/15	73980	100.00	100.00
83170	SBC GLOBAL SERVICES IN LD	FIRE/TRI		8/21/15	74105	.07	
		CLERK		8/21/15	74105	5.68	
		RECORDER		8/21/15	74105	2.37	
		FIRE (VC)		8/21/15	74105	1.32	
		PUBLIC WORKS		8/21/15	74105	.40	
		SHERIFF		8/21/15	74105	57.72	
		JP		8/21/15	74105	2.70	
		SHERIFF		8/21/15	74105	5.27	
		COMPTROLLER/ADMIN		8/21/15	74105	3.07	
		FIRE/LOCKWOOD		8/21/15	74105	1.58	
		FIRE (VC)		8/21/15	74105	14.26	
		COMMUNITY DEVELOPMENT		8/21/15	74105	1.58	
		ASSESSOR		8/21/15	74105	9.40	
		CENTRAL DISPATCH		8/21/15	74105	14.59	
		DA		8/21/15	74105	3.54	
		COMMISSIONER		8/21/15	74105	7.78	
		FIRE (VC)		8/21/15	74105	1.48	
		IT		8/21/15	74105	1.97	
		PLANNING		8/21/15	74105	.85	
		VCTC		8/21/15	74105	25.97	161.60
83171	SBC GLOBAL SERVICES INC	847-7500 VCTC		8/21/15	73969	90.88	
		252-6412-COMMUNICATIONS		8/21/15	73969	3,715.56	
		847-0962 JOP		8/21/15	73969	65.59	3,872.03
83172	SHOAF, BRIAN ALLEN	JULY 30-AUG 12, 2015		8/21/15	74074	81.00	81.00
83173	SIERRA CHEMICAL COMPANY	DEPOSIT REFUND		8/21/15	73982	222.00-	
		RISE FEE CREDIT		8/21/15	73982	18.00-	
		SEWER-CHEMICALS		8/21/15	73982	1,261.08	1,021.08
83174	SIERRA FIRE PROTECTION LL	REPLACE FIRE EXTINQUISHER		8/21/15	74075	69.00	
		MAINTENANCE		8/21/15	73951	1,105.00	1,174.00
83175	SIERRA GAS METAL ARC INC	GOLD BLANKET		8/21/15	73983	67.25	67.25
83176	SIERRA PEST CONTROL INC	PEST SPRAY LOCKWOOD		8/21/15	73999	50.00	
		PEST SPRAY		8/21/15	73999	100.00	150.00
83177	SILVER STATE NATIONAL PEA	JULY 30-AUG 12, 2015		8/21/15	74076	136.50	136.50
83178	SPB UTILITY SERVICES INC	JULY OPERATOR SUPPORT		8/21/15	73981	655.86	655.86
83179	ST CO AMBULANCE						

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		DUPREE, AMBULANCE		8/21/15	73995	370.48	
		DUPREE, AMBULANCE		8/21/15	73995	481.64	852.12
83180	ST CO SCHOOL DISTRICT						
		PROPERTY TAX RECEIVED		8/21/15	73938	751,140.93	
		JULY 30-AUG 12, 2015		8/21/15	74077	32.00	
				8/21/15	74077	8.00	751,180.93
83181	ST CO SHERIFF						
		BACKGROUND CHECKS		8/21/15	74039	627.25	
		GROUND CHECKS		8/21/15	73952	120.00	747.25
83182	ST CO TREASURER						
		TRI PROPERTY TAXES		8/21/15	74103	503,192.73	503,192.73
83183	STEPHENS, VANESSA						
		ST CO TREASURER		8/21/15	74108	500.00	500.00
83184	SUN PEAK ENTERPRISES						
		JULY 30-AUG 12, 2015		8/21/15	74078	50.00	
				8/21/15	74078	195.00	
				8/21/15	74078	1,890.00	2,135.00
83185	SUPERIOR POOL PRODUCTS						
		POOL-SHOCKWAVE		8/21/15	73987	151.31	151.31
83186	SYN TECH SYSTEMS INC						
		LTD MAINT CONTRACT		8/21/15	73988	668.25	
		FIRE- BLUE PROKEES		8/21/15	73988	122.25	790.50
83187	THE TOMBSTONE COWBOYS						
		JULY 30-AUG 12, 2015		8/21/15	74079	5.00	
				8/21/15	74079	342.00	
				8/21/15	74079	432.00	
		JULY 16-JULY 29, 2015		8/21/15	74079	1,530.00	
				8/21/15	74079	2,245.00	4,554.00
83188	THREE GGG INC						
		JULY 30-AUG 12, 2015		8/21/15	74080	143.00	143.00
83189	TONELLI, MICHAEL						
		APN 003-101-20		8/21/15	74088	37.35	37.35
83190	TOWNE, LAWRENCE KENNETH						
		FAIRGRNDS BLCHR INSTALLED		8/21/15	74065	15,508.50	
		BLEACHER PARTS		8/21/15	74065	81.00	15,589.50
83191	ULINE						
		POLY BAG SEALER KIT		8/21/15	73991	37.56	37.56
83192	UNDERWRITERS LABORATO INC						
		FES INSPECTION T71		8/21/15	74044	995.00	995.00
83193	UNIFORMITY OF NEVADA LLC						
		BARBEE UNIFORM		8/21/15	74046	325.65	325.65
83194	UNITED SITE SERVICES OF N						
		MT PARK-RESTROOM		8/21/15	73989	94.00	
		VCH PARK-RESTROOM		8/21/15	73989	94.00	
		FAIRGROUNDS OUTHOUSE		8/21/15	74081	145.64	333.64
83195	VIRGINIA & TRUCKEE RR CO						
				8/21/15	74082	9.00	
				8/21/15	74082	11.00	
		JULY 30-AUG 12, 2015		8/21/15	74082	121.00	
				8/21/15	74082	1,206.00	
				8/21/15	74082	825.00	
				8/21/15	74082	99.00	
				8/21/15	74082	385.00	
				8/21/15	74082	5,929.00	8,585.00
83196	VIRGINIA CITY HIGHLANDS						
		PROMISSORY NOTE PYMNT		8/21/15	74106	100,142.50	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
							100,142.50
83197	VIRGINIA CITY TOURS INC			8/21/15	74083	208.00	
				8/21/15	74083	2,064.00	
		JULY 30-AUG 12, 2015		8/21/15	74083	36.00	2,308.00
83198	VIRGINIA HIGHLANDS VFD	4TH QTR FY 2015		8/21/15	74040	1,250.00	1,250.00
83199	WALKER & ASSOCIATES	LOBBYIST SERVICES		8/21/15	73953	1,666.00	1,666.00
83200	WASHOE CO CORONER	TOXICOLOGY, SCHMIDT		8/21/15	74003	251.00	251.00
83201	WASHOE COUNTY SENIOR SERV	JULY MEALS LOCKWOOD		8/21/15	74013	1,940.93	1,940.93
83202	WASHOE COUNTY, NEVADA	DNA TESTING NRS 176.0915		8/21/15	73939	192.00	192.00
83203	WEDCO INC	DIVIDE RES-ELECTRICAL		8/21/15	73990	181.90	181.90
83204	WESTERN NEVADA SUPPLY CO	T71-ROMA SEAL, LOCK		8/21/15	73998	760.52	
		GH DEPOT-PLUMB		8/21/15	73998	1,313.14	
		GH DEPOT-PLUMB		8/21/15	73998	51.12	
		GH DEPOT-PLUMB		8/21/15	73998	92.00	
		GH DEPOT-PLUMBING		8/21/15	73998	128.06	
		SEWER-SADDLES		8/21/15	73998	160.95	
		PLIERS		8/21/15	73998	37.91	2,543.70
83205	3D CONCRETE INC	6 MILE		8/21/15	74012	1,377.88	
		O ST		8/21/15	74012	1,592.85	2,970.73
						CHECKS TOTAL	1,556,416.77

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

CHECKS TOTAL 1,556,416.77 CHECK DATE 8/21/15

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COMPTROLLER

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TREASURER

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CHAIRMAN

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COMMISSIONER

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COMMISSIONER

PC NUMBER	VENDOR	FUND-DEPT	INVOICE #	DESCRIPTION	DATE	TRANS#	AMOUNT	CARD TOTAL
59	WELLS ONE COMMERCIAL CARD		PAYMENT					
			BREYLINGER-SOUTHWEST	CASELLE CONFERENCE AIR	8/21/15	550	156.50	
			BREYLINGER-SOUTHWEST	CASELLE CONF AIRFARE	8/21/15	550	156.50	
			C.NEVIN- ATT	INTERNET- 372 S C STRE	8/21/15	549	60.00	
			C.NEVIN- OFFICEDEPOT	EASEL/PAPER/SUPPLIES	8/21/15	549	190.74	
			CHANDLER ICC	IRC TESTING FEES	8/21/15	551	168.00	
			CHANDLER TRUE VALUE	KEY COPIES OF TRI DOOR	8/21/15	551	13.04	
			CONF #BQ0PC52C99B3	ARMA DUES FY15/16	8/21/15	552	195.00	
			CW WM SUPERCENTER	OFFICE EXPENSE	8/21/15	557	31.29	
			DD GOLD HILL HOTEL	MTNG W VCTC BRD CHR SJ	8/21/15	555	33.87	
			DD HOME DEPOT	FAIRGROUNDS EXPENSE	8/21/15	555	96.66	
			DD TAHOE HOUSE	HAN EXPENSE	8/21/15	555	660.00	
			DD VC BREWERY	MEETING EXP HAN BRD ME	8/21/15	555	25.01	
			FAIN 7/30/15 ALIANTE	RM RVSN/NACO CONF	8/21/15	554	100.79	
			GILMAN 7/30/14 QUIK	STOP GAS	8/21/15	554	81.65	
			GILMAN 8/10/15 QUIK	STOP GAS	8/21/15	554	74.37	
			GILMAN 8/5/15 UNITED	PACIFIC GAS	8/21/15	554	49.70	
			HAYMORE HOME DEPOT	SUPPLIES FOR GH DEPOT	8/21/15	551	248.67	
			JASONW RENO SALVAGE	VC WELCOME SIGNS-TUBIN	8/21/15	550	88.20	
			JASONW-LOWES	BANK BLDG-FURN, POLY	8/21/15	550	155.71	
			KD APL ITUNES.COM	HAN MUSIC	8/21/15	556	12.69	
			MCGUFFEY 8/3/15 SW	AIR-NACO CONF	8/21/15	554	265.00	
			MCGUFFEY 8/6/15 NACO	CONF REGISTRATION	8/21/15	554	475.00	
			NATIONAL NIGHT OUT S	PPLIES	8/21/15	558	33.96	
			OSBORNE LAS VEGAS	PARKING/SWITCH TOUR	8/21/15	554	14.00	
			VANHAVEL VARIDESK	STANDING DESK	8/21/15	548	400.00	
			WHITTEN 10546 GOV	CONF/WHITTEN&MCBRIDE	8/21/15	554	80.00	
			WHITTEN/SUBWAY LUNCH	TRI TOUR	8/21/15	554	42.07	
			0022-1159-9631	DEANE EXAM VCA6	8/21/15	553	120.00	
			135776327	DSL IT	8/21/15	553	75.00	
			145249552	DISPATCH DSL	8/21/15	553	85.76	
			257069	SAFETY KIT GMC IT	8/21/15	553	204.45	
			50347	VMWORLD 2015 SAN FRAN	8/21/15	553	1,807.50	
			60761057	HOTEL DEPOSIT MILL CIT	8/21/15	553	181.54	
								6,382.67
	Card Total							6,382.67

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION DATE

for M. Gallagher ----------
COMPTROLLER

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TREASURER

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CHAIRMAN

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COMMISSIONER

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Storey County Board of County Commissioners
Agenda Action Report

Meeting date: September 1, 2015 **Estimate of time required:** 0-5 mins

Agenda: Consent [X] Regular agenda [ ] Public hearing required [ ]

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1. **Title:** For Possible Action – Approval – Assessor's Recommended Corrections to 2015-16 Tax Roll for Exemptions

2. **Recommended motion:** Approval

3. **Prepared by:** Tobi Whitten

   Department: Assessor's Office **Telephone:** 847-0961

4. **Staff summary:** Exemption applications and renewals are typically due to our office on or before June 15th of each fiscal year, but circumstances beyond a taxpayer's control may cause a delay and, as a result, an exemption not being applied to the tax bill. In cases where the Assessor's Office feels that the taxpayer could not have reasonably filed their exemption application or renewal by the deadline, the tax bill may be amended by the Clerk-Treasurer at the direction of the Board and a new tax bill or a refund be mailed to the affected taxpayer.

5. **Supporting materials:** Please see attached letter with adjusted assessed values.

6. **Fiscal impact:** Unknown

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   __X__ Department Head Department Name: Assessor's Office

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications
   [ ] Denied [ ] Continued

Agenda Item No. 6

Jana Seddon
STOREY COUNTY ASSESSOR

STOREY COUNTY COURTHOUSE
26 South B Street
P.O. Box 494
Virginia City, NV 89440

(775) 847-0961 Phone
(775) 847-0904 Fax
Assessor@StoreyCounty.org

September 1, 2015

Memo to: Storey County Commissioners

Re: Corrections for Exemptions

The owners of the properties listed below should have had a Veteran's Exemption applied to their property for the **2015-16 tax year**. For various reasons, the taxpayer was either unaware of their eligibility for the exemption, or the exemption renewals or percentage changes were not received and processed by our office before the close of the 2015-16 re-opened roll. Therefore, we were unable to apply or adjust the exemptions prior to the printing of their tax bill. The adjusted net assessed values and the **net assessed value overrides** should be:

APN	Current Net Assessed	Exemption Amount	Adjusted Net Assessed	Current Year Net Assessed Value Override
001-197-12	61,544	25,600	55,144	**55,144**
001-207-18	77,486	25,600	51,886	**51,886**

Please approve these corrections, and advise the Treasurer to make the changes and send a new tax bill or refund as necessary.

Thank You,

Jana Seddon
Storey County Assessor

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: September 1, 2015 **Estimate of time required:** 0-5 mins

Agenda: Consent [X] Regular agenda [ ] Public hearing required [ ]

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1. **Title:** For Possible Action – Approval – Assessor's Recommended Corrections to 2015-16 Tax Roll for Partial Property Tax Abatements pursuant to NRS 361.4722 through 361.4724

2. **Recommended motion:** Approval

3. **Prepared by:** Tobi Whitten

   Department: Assessor's Office **Telephone:** 847-0961

4. **Staff summary:** Nevada Revised Statutes 361.4722 through 361.4724 provide a partial property tax abatement (implemented as a "cap") for certain existing owner-occupied and qualifying residential rental properties. Status verification cards and affidavits are typically due back to our office on or before June 15th of the preceding fiscal year, but circumstances beyond a taxpayer's control may cause a delay and, as a result, the proper "cap" does not get applied to the tax bill. If the Assessor's Office determines that the proper "cap" has not been applied, the tax bill may be amended by the Clerk-Treasurer at the direction of the Board and a new tax bill or a refund be mailed to the affected taxpayer.

5. **Supporting materials:** Please see attached letter, which lists affected properties.

6. **Fiscal impact:** Unknown

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   __X__ Department Head Department Name: Assessor's Office

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No. 7

Jana Seddon
STOREY COUNTY ASSESSOR

STOREY COUNTY COURTHOUSE
26 South B Street
P.O. Box 494
Virginia City, NV 89440

(775) 847-0961 Phone
(775) 847-0904 Fax
Assessor@StoreyCounty.org

September 1, 2015

Memo to: STOREY COUNTY COMMISSIONERS

Re: Corrections for Partial Property Tax Abatements

The following have been approved by the Storey County Assessor's Office to receive the 3% Property Tax Abatement ("Cap") for the 2015-16 fiscal year:

	APN	OWNER(S)	PROPERTY LOCATION
1	003-045-56	Dell, Sean M & Jane E	2291 Empire Rd Virginia City Highlands
2	003-461-16	Kelly, Colleen Munson	1830 Castle Peak Rd Virginia City Highlands

Please advise the Treasurer to:

1) Adjust the tax bills listed above by applying the corrected cap percentage, and
2) Issue a new tax bill or refund, as necessary.

Thank you,

Jana Seddon
Storey County Assessor

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 9/1/15 **Estimate of time required:**

Agenda: Consent [x] Regular agenda [ ] Public hearing required [ ]

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1. **Title:** Storey County School District, for Piper's Opera House

2. **Recommended motion** Approve as part of consent agenda.

3. **Prepared by:** Brandy Gavenda

   Department: SCSO **Telephone: 775-847-0959**

4. **Staff summary:** Requesting a liquor license in Storey County

5. **Supporting materials:** See attached Agenda letter

6. **Fiscal impact: None**

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   _X__ Department Head Department Name: Gerald Antinoro

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No. 8

STOREY COUNTY SHERIFF'S OFFICE

Gerald Antinoro
Sheriff

August 18, 2015

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

Fr: Brandy Gavenda

Please add the following item(s) to the September 1, 2015 Commissioners Consent Agenda:

LICENSING BOARD
FIRST READING:

A. Storey County School District – Liquor License

PO Box 498
205 South C Street
Virginia City, NV 89440
Office: (775) 847-0959 Fax: (775) 847-0924

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 9-1-15 **Estimate of time required:** 0 - 5

Agenda: Consent [x] Regular agenda [ ] Public hearing required [ ]

---

1. **Title:** Business License First Readings

2. **Recommended motion;** None required (if approved as part of the Consent Agenda)
   I move to approve all first readings (if removed from consent agenda by request)

3. **Prepared by:** Stacey Bucchianeri

   Department: Community Development **Telephone:** 847-0966

4. **Staff summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioners' meeting for approval.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:** None
   ____ District Attorney

8. **Reviewed by:**
   _x__ Department Head Department Name: Community Development
   ____ County Manager Other agency review: _____

9. **Board action:**
   [ ] Approved [ ] Approved with Modifications
   [ ] Denied [ ] Continued

Agenda Item No. 9

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

August 24, 2015
Via email

Fr: Stacey Bucchianeri

Please add the following item(s) to the **September 1, 2015,** COMMISSIONERS Consent Agenda:

LICENSING BOARD
FIRST READINGS:

A. **AMERICAN MINING & TUNNELING, LLC** -- Contractor / 19208 E. Broadway ~ Spokane, WA (mining services)
B. **P & L FENCING & IRON, LLC** – Contractor / 2842 Marco Street ~ Las Vegas (steel fabrication)
C. **CROP PRODUCTION SERVICES, INC.** – General / 3005 Rocky Mountain Ave ~ Loveland, CO (distributor of crop input)
D. **SOIL TECH, INC** – Contractor / 6420 South Cameron ~ Las Vegas (general contractor/engineer)
E. **GARTNER REFRIGERATION & MFG** – Contractor / 13205 16th Ave. North ~ Plymouth, MN (refrigeration contractor)
F. **NEIL ADAMS CONSTRUCTION, INC.** – Contractor / 6490 S. McCarran ~ Reno (general contractor)
G. **BRYCON CORPORATION** – Contractor / 134 Rio Rancho Blvd ~ Rio Rancho, NM (general contractor)

Inspection Required

ec: Chris Hood, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.
Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Fritz Klingler, Fire Dept.
Sheriff's Office
Assessor's Office
Commissioners' Office

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 9/1/15 **Estimate of time required:** 0 - 5

Agenda: Consent [ ] Regular agenda [x] Public hearing required [ ]

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1. **Title:** Milan Drive Extension Reimbursement of Bid Approval

2. **Recommended motion:** Approval per the Development Agreement with Tahoe Reno Industrial Center (TRI). (Between February 1, 2000, and the present time, TRI has constructed and dedicated to the County certain Project Public Infrastructure, and the County has reimbursed TRI for a portion of its costs of construction, pursuant to the provisions of the Development Agreement and the CIP.)

3. **Prepared by:** Stacey Bucchianeri

   Department: Community Development **Telephone:** 847-0966

4. **Staff summary:** Construction of Milan Drive Extension for access to existing company currently under construction at 1500 Milan Drive (AZZ Galvanizing Company).

5. **Supporting materials:** See attached Bid Documents

6. **Fiscal impact:**

   Funds Available: Fund: _x__ Comptroller

7. **Legal review required:**

   ___ District Attorney

8. **Reviewed by:**

   _x__ Department Head Department Name: Community Development

   _x__ County Manager Other agency review: Farr West Engineering

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications
   [ ] Denied [ ] Continued

Agenda Item No. 12

FARR WEST
ENGINEERING

August 24, 2015

Roger Norman
Tahoe Reno Industrial Center L.L.C.
P.O. Box 838
Poway, CA 92974

Subject: **MILAN DRIVE PAVEMENT EXTENSION (PWP No. ST-215-206) - RECOMMENDATION OF AWARD OF CONSTRUCTION CONTRACT**

Dear Roger,

As you are aware, bids for the Milan Drive Pavement Extension Project were opened on August 20, 2015. As you are also aware, Tahoe Reno Industrial Center L.L.C. (TRI Center) is the owner of the project until such time as the project is accepted by Storey County Public Works (Storey County) and the Storey County / TRI Center Roadway Voucher Program (Road Voucher Program) is implemented.

This Recommendation of Award is being presented to TRI center and the Storey County Commissioners for concurrence due to the voucher program.

The project consists of paving approximately 4,850 linear feet of a 42' wide roadway surface along with general surface improvements (adjusted manhole covers, valve covers, signs, etc.) on Milan Drive in the Tahoe Reno Industrial Center. Prevailing wage are required, and must be considered, in connection with the bid totals. The bidding process was competitively bid and there were seven (7) bidders ranging from $653,787.00 to $832,444.00.

F&P Construction (F&P) was determined to be the lowest responsible and responsive bidder. F&P's bid submittal was reviewed and found to meet project requirements. It should be noted there appeared to be a minor math related irregularity in F&P's bid for Item-2 for the amount of $500. Since the bid process was competitively bid, we recommend using the Base Bid amount total as written and presented and disregard the $500 irregularity in your award consideration.

As you have dealt with F&P for many years, you are aware of their construction ability and workmanship. Furthermore, F&P meets the qualifications presented in the Instructions to Bidders, Article 3, of the contract documents. This is to say, that together with their subcontractors they have been engaged in this general class of work and have a history of completing projects successfully. They and their subcontractors are licensed and bonded in Nevada.

Based on the above information, we recommend TRI Center (with concurrence from Storey County Commissioners) award to F&P Construction a total amount of **$653,787.00.** The bid does not allow for contingencies. Near the end of the project, if further funds are required, we will negotiate with F&P and request additional funds be approved by TRI Center (with concurrence from Storey County Commissioners). As of now, we do not expect any construction change orders and believe F&P will work with TRI Center to adequately address any concerns without increase to the contracted amount.

Regarding the Road Voucher Program, the above Recommendation of Award does not include additional voucher considerations such as installed grading and drainage facilities, preliminary and final engineering design, surveying and construction management. These other considerations total an additional **$142,938.36**; see attached Storey County Road Voucher Cost Breakdown (items 1.1, 1.2, 2.1, 3.1 and 4.1 through 4.5).

The Story County Commissioner should consider the amount of **$796,725.36** when concurring to the Recommendation of Award to F&P coupled with the Road Voucher Program.

Should you need any further information, please let me know.

Sincerely,
Farr West Engineering

Chuck Reno, P.E.
Project Manager

Attachments:
- Bid Tabulation
- Storey County Road Voucher Cost Breakdown
- F&P Bid Package

CC:
- Dean Haymore (via email)
- Pat Whitten (via email)

Storey County Road Voucher Cost Breakdown
Milan Drive ~ Tahoe-Reno Industrial Center

8/24/2015

Grading & Drainage (Sta: 10+00 to 106+02)

ITEM No.	CONTRACTOR	DESCRIPTION	DATE	AMOUNT
1.1	F&P Construction	Proposal 031115MO	3/11/2015	$ 11,242.00
1.2	F&P Construction	Proposal 122515MD	6/9/2015	$ 76,465.00
			Grading & Drainage Sub-Total:	**$ 87,707.00**

Pavement & Gravel Roadway (Sta: 54+00 to 106+02)

ITEM No.	CONTRACTOR	DESCRIPTION	DATE	AMOUNT
2.1	Farr West Engineering	Site surveying (staking of edge of roads 100 foot intervals, PC, PT and PVIs)	Future	$ 7,800.00
2.2	F&P Construction	Bid Total (Pavement section 54+00 to 102+42; Gravel section 102+42 to 106+02)	8/20/2015	$ 653,787.00
			Pavement Sub-Total:	**$ 661,587.00**

Construction Total:	**$ 749,294.00**

Preliminary Engineering

ITEM No.	CONTRACTOR	DESCRIPTION	DATE	AMOUNT
3.1	Farr West Engineering	General improvement plans and specifications, site surveying, detention basin design	11/24/14 to 6/26/15	$ 24,751.36
			Preliminary Engineering Sub-Total:	**$ 24,751.36**

Final Engineering & Construction Management

ITEM No.	CONTRACTOR	DESCRIPTION	DATE	AMOUNT
4.1	Farr West Engineering	Final improvement plans and specifications for bidding (with Engineer's Estimate) (40 hours)	Future	$ 4,200.00
4.2	Farr West Engineering	Project bidding services (Bidding, Addendums, Pre-Bid meeting, Bid Opening, etc.) (40 hours)	Future	$ 4,200.00
4.3	Farr West Engineering	Project Management (Pre-con meeting, submittals, RFIs, pay requests, DFR Review, etc.) (4 hours/week for 8 weeks)	Future	$ 3,360.00
4.4	Farr West Engineering	Weekly meetings, site Inspection/construction oversight, detailed field reports (8 hours/week for 8 weeks)	Future	$ 6,720.00
4.5	Farr West Engineering	Project closeout (As-built plans, substantial completion, final pay request, etc.) (40 hours)	Future	$ 4,200.00
			Final Engineering & Construction Management Sub-Total:	**$ 22,680.00**

Engineering Total:	**$ 47,431.36**

Grand Total:	**$ 796,725.36**

Milan Drive Pavement Extension (PWP No. ST-2015-206)

Farr West Engineering

Bid Opening: 8-20-2015, 2:00PM

BID TABULATION

Base Bid				F&P		Granite		Sierra Nevada		Gopher		Q&D		A&K		SSC	
Item	Description	Quantity	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	1	LS	$700.00	$700	$24,338.00	$24,338	$4,938.00	$4,938	$2,500.00	$2,500	$36,310.00	$36,310	$10,080.40	$10,080	$9,309.40	$9,309
2	Grading - Finish Grading	248,300	SF	$0.05	$11,915	$0.16	$39,728	$0.18	$44,694	$0.11	$27,313	$0.12	$29,796	$0.14	$34,762	$0.20	$49,660
3	Filtration Fabric	238,620	SF	$0.15	$35,793	$0.10	$23,862	$0.20	$47,724	$0.26	$62,041	$0.20	$47,724	$0.28	$66,814	$0.13	$31,021
4	Aggregate Base	4,600	CY	$29.00	$133,400	$25.00	$115,000	$35.00	$161,000	$35.00	$161,000	$36.00	$165,600	$26.00	$119,600	$28.00	$128,800
5	AC Paving	5,932	TON	$74.50	$441,934	$87.00	$516,084	$80.50	$477,526	$83.00	$492,356	$85.00	$504,220	$92.00	$545,744	$97.00	$575,404
6	Gravel Shoulder	300	CY	$34.00	$10,200	$30.00	$9,000	$46.00	$13,800	$45.00	$13,500	$30.00	$9,000	$45.00	$13,500	$28.00	$8,400
7	Striping	1	LS	$3,875.00	$3,875	$4,000.00	$4,000	$500.00	$500	$4,100.00	$4,100	$3,300.00	$3,300	$3,850.00	$3,850	$4,500.00	$4,500
8	Manhole Concrete Collar	18	EA	$555.00	$9,990	$1,100.00	$19,800	$500.00	$9,000	$1,448.00	$26,064	$600.00	$10,800	$800.00	$14,400	$900.00	$16,200
9	Valve Concrete Collar	16	EA	$260.00	$4,160	$500.00	$8,000	$325.00	$5,200	$975.00	$15,600	$450.00	$7,200	$675.00	$10,800	$400.00	$6,400
10	Locate Station Concrete Collar	5	EA	$260.00	$1,300	$500.00	$2,500	$325.00	$1,625	$975.00	$4,875	$450.00	$2,250	$750.00	$3,750	$400.00	$2,000
11	Traffic Sign	1	LS	$520.00	$520	$450.00	$450	$3,000.00	$3,000	$650.00	$650	$800.00	$800	$700.00	$700	$750.00	$750
12																	
					$653,787.00		**$762,762.00**		**$769,007.00**		**$809,999.20**		**$817,000.00**		**$824,000.00**		**$832,444.00**

Irregularity (unit price times quantity does not equal total)

SECTION 00410

BID FORM FOR CONSTRUCTION CONTRACTS

MILAN DRIVE PAVEMENT EXTENSION

PWP No. ST-2015-206

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ARTICLE 1 – BID RECIPIENT

1.1 This Bid is submitted to Owner address as identified in Section 00100 – Advertisement.

1.2 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

EJCDC® C-410, Bid Form for Construction Contracts.
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ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.1 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

Addendum No.	Addendum, Date
1	8-10-15
2	8-17-15
N/A	

B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.

I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.

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J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.1 Bidder certifies that:

A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the e execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.1 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

5.2

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MILAN DRIVE EXTENSION					
Item	Description	Quantity	Unit	Unit Price	Total
1	Mobilization	1	LS	700 00	700.00
2	Grading - Finish Grading	248,300	SF	.05	11,915.00
3	Filtration Fabric	238,620	SF	.15	35,793.00
4	Aggregate Base	4,600	CY	29.00	133,400.00
5	AC Paving	5,932	TON	74.50	441,934.00
6	Gravel Shoulder	300	CY	34.00	10,200.00
7	Striping	1	LS	3275.00	3,275.00
8	Manhole Concrete Collar	18	EA	555.00	9,990.00
9	Valve Concrete Collar	16	EA	260.00	4,160.00
10	Locate Station Concrete Collar	5	EA	260.00	1300.00
11	Traffic Sign	1	LS	520.00	520.00
12					

TOTAL BASE BID (Items 1-10) PRICE - $ 653,787.00 (without alternates)

$ Six Hundred Fifty Three Seven Hundred Eighty Seven 00/100

In Words

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

Unit Prices have been computed in accordance with Paragraph 13.03.B of the General Conditions.

The requirements of Nevada Revised Statues (NRS) shall apply to this project. The BIDDER is responsible for compliance with all applicable statues. These statutes include, but are not limited to:

A. NRS 338.020: Hourly and daily rate of wages must not be less than prevailing wage in County.

B. NRS 338.080: Exemptions

C. NRS 338.141: Bids to include certain information concerning subcontractors; requirements for substitution of named subcontracts.

D. NRS 338.147: Award of Contract to Contractor who submits best bid.

ARTICLE 6 – TIME OF COMPLETION

6.1 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

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6.2 Bidder accepts the provisions of the Agreement as to Liquidated Damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

7.1 The following documents are submitted with and made a condition of this Bid:

A. Required Bid security in the form of a Bid Bond (EJCDC C-430);

B. List of proposed Subcontractors (Section 00440);

C. List of proposed Suppliers (Section 00440);

D. Required Bidder Qualifications Statement with supporting data (EJCDC C-450);

E. Evidence of authority to do business in Storey County and the State of Nevada;

F. Evidence of qualifications for in-state bidder preference, if requesting consideration; and

G. Contractor's License number. May be combined with another attachment.

ARTICLE 8 – DEFINED TERMS

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

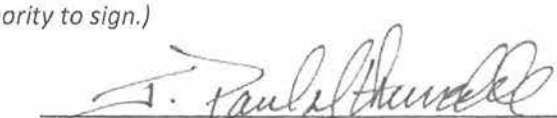
BIDDER: *[Indicate correct name of bidding entity]*

F AND P CONSTRUCTION

By:
[Signature] 

[Printed name] Lystra Pitts

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:
[Signature] 

[Printed name] J. Paul Etherredge

Title: Senior Estimator

Submittal Date: 8/20/2015

Address for giving notices:

4607B Aircenter Circle, Reno, NV 89502

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Telephone Number: 775 851-3449

Fax Number: 775 851-7709

Contact Name and e-mail address: Lystra Pitts
lystra@pandpconstruction.com

Bidder's License No.: 33809A
(where applicable)

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5% SUBCONTRACTOR LIST

Each Bidder shall list below the name of each subcontractor who will provide labor or a portion of the Work to the Contractor for which he will be paid an amount exceeding five (5) percent of the Bidder's total Bid and the number of the license issued to the subcontractor pursuant to Chapter 624 of the NRS. The Bidder shall also list themselves as performing all remaining Work not otherwise subcontracted that is exceeding 5% of the total bid. A general description of this Work shall be listed.

Project Name: Milan Drive Pavement Extension
Bidder Name:
Bidder Address:
Telephone No.:

Work to be Performed	Percent of Total Contract	Subcontractor's Name, Address, and License Number
1. Grading/BASE	*(Percentage of work:)*	*(Prime Contractor)* F AND P Construction
2. Paving		*(Subcontractor)* SNC
3. Striping		*(Subcontractor)* Intermountain
4.		*(Subcontractor)*
5.		*(Subcontractor)*
6.		*(Subcontractor)*
7.		*(Subcontractor)*
8.		*(Subcontractor)*

NOTE: *Additional numbered pages may be attached if needed. 5% Suppliers may be included on this or another page.*

1% SUBCONTRACTORS LIST

Within 2 hours after the completion of the opening of the Bids, the Bidders who submitted the three lowest bids must submit a list of the name of each subcontractor who will provide labor or a portion of the Work to the Contractor for which he will be paid an amount exceeding one (1) percent of the Bidder's total bid or $50,000, whichever is greater, and the number of the license issued to the subcontractor pursuant to Chapter 624 of the NRS. This list may be emailed or faxed to the Owner or Owner's Representative, or may be submitted with the Bid Proposal Form. The Bidder shall also list themselves as performing all remaining Work not otherwise subcontracted that is exceeding 1% of the total Bid or $50,000, whichever is greater. A general description of this Work shall be listed.

Project Name: Milan Drive Pavement Extension
Bidder Name: F AND P Construction
Bidder Address: 4607B Aircenter Circle, Reno, NV 89502
Telephone No.: 775 851-3449

Work to be Performed	Percent of Total Contract	Subcontractor's Name, Address, and License Number
1. GRADE + BASE	*(Percentage of work:)*	*(Prime Contractor)* F AND P Construction
2. PAVING		*(Subcontractor)* SNC
3. striping		*(Subcontractor)* Intermountain
4.		*(Subcontractor)*
5.		*(Subcontractor)*
6.		*(Subcontractor)*
7.		*(Subcontractor)*

NOTE: *Additional numbered pages may be attached if needed.*

5% SUPPLIERS LIST

Each Bidder shall list below the name of each supplier who will provide materials or equipment to the Contractor for which they will be paid an amount exceeding five (5) percent of the Bidder's total Bid and the number of the license issued to the supplier pursuant to Chapter 624 of the NRS. The Bidder shall also list themselves as supplying all remaining Work items not otherwise supplied that is exceeding 5% of the total Bid. A general description of this Work shall be listed.

Project Name: Milan Drive Pavement Extension
Bidder Name: F and P Construction
Bidder Address: 4607B Aircenter Circle, Reno NV 89502
Telephone No.: 775 851-3449

Supplies to be Provided	Percent of Total Contract	Supplier's Name, Address, and License Number
1. Grading	*(Percentage:)*	*(Prime Contractor)* F AND P Const.
2. BASE		*(Supplier)* Gopher Const.
3.		*(Supplier)*
4.		*(Supplier)*
5.		*(Supplier)*
6.		*(Supplier)*
7.		*(Supplier)*
8.		*(Supplier)*

NOTE: *Additional numbered pages may be attached if needed.*

BIDDER QUALIFICATIONS STATEMENT

THE INFORMATION SUPPLIED IN THIS DOCUMENT IS CONFIDENTIAL TO THE EXTENT PERMITTED BY LAWS AND REGULATIONS

1. **SUBMITTED BY:**

   Official Name of Firm: F and P Construction

   Address: 4667B Aircenter Circle
   Reno, NV
   89502

2. **SUBMITTED TO:** Farr West Engineering

3. **SUBMITTED FOR:** Milan Dr. Pavement Extension

   Owner: TAHOE RENO INDASTRIAL Center

   Project Name: Milan Dr. Pavement Extension

   TYPE OF WORK: Grading, Base, Pave Roadway

4. **CONTRACTOR'S CONTACT INFORMATION**

   Contact Person: Lystra Pitts

   Title: Estimator

   Phone: 775 851-3449

   Email: Lystra@fandpconstruction.com

5. **AFFILIATED COMPANIES:**

   Name: None

EJCDC® C-450, Qualifications Statement.
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Address: _____

_____

_____

6. TYPE OF ORGANIZATION:

☐ SOLE PROPRIETORSHIP

Name of Owner: _____

Doing Business As: _____

Date of Organization: _____

☐ PARTNERSHIP

Date of Organization: _____

Type of Partnership: _____

Name of General Partner(s): _____

_____

_____

☒ CORPORATION

State of Organization: Nevada

Date of Organization: 4-6-1991

Executive Officers:

- President: Randy Pitts
- Vice President(s): Dayton Pitts

_____

_____

- Treasurer: Cindy Pitts
- Secretary: Cindy Pitts

☐ LIMITED LIABILITY COMPANY

State of Organization: _____

Date of Organization: _____

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Members: _____

_____

_____

_____

☐ JOINT VENTURE

Sate of Organization: _____

Date of Organization: _____

Form of Organization: _____

Joint Venture Managing Partner

- Name: _____

- Address: _____

_____

_____

Joint Venture Managing Partner

- Name: _____

- Address: _____

_____

Joint Venture Managing Partner

- Name: _____

- Address: _____

_____

7. LICENSING

Jurisdiction: Nevada

Type of License: CLASS "A" General Engineering

License Number: 33809A

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Jurisdiction: _____

Type of License: _____

License Number: _____

8. CERTIFICATIONS

CERTIFIED BY:

Disadvantage Business Enterprise: _____

Minority Business Enterprise: _____

Woman Owned Enterprise: _____

Small Business Enterprise: _____

Other (_____): _____

9. BONDING INFORMATION

Bonding Company: _____

Address: _____

_____

Bonding Agent: _____

Address: _____

_____

_____

Contact Name: _____

Phone: _____

Aggregate Bonding Capacity: _____

Available Bonding Capacity as of date of this submittal: _____

10. FINANCIAL INFORMATION

Financial Institution: First Independent Bank

Address: 1 Reno, NV

_____

Account Manager: Cathy Flannk

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Phone: _____

INCLUDE AS AN ATTACHMENT AN AUDITED BALANCE SHEET FOR EACH OF THE LAST 3 YEARS

11. CONSTRUCTION EXPERIENCE:

Current Experience:

List on **Schedule A** all uncompleted projects currently under contract (If Joint Venture list each participant's projects separately).

Previous Experience:

List on **Schedule B** all projects completed within the last 5 Years (If Joint Venture list each participant's projects separately).

Has firm listed in Section 1 ever failed to complete a construction contract awarded to it?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Has any Corporate Officer, Partner, Joint Venture participant or Proprietor ever failed to complete a construction contract awarded to them in their name or when acting as a principal of another entity?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Are there any judgments, claims, disputes or litigation pending or outstanding involving the firm listed in Section 1 or any of its officers (or any of its partners if a partnership or any of the individual entities if a joint venture)?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

12. SAFETY PROGRAM:

Name of Contractor's Safety Officer: Augustina Gonzales

Include the following as attachments:

Provide as an Attachment Contractor's ~~(and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid)~~ OSHA No. 500- Log & Summary of Occupational Injuries & Illnesses for the past 5 years.

Provide as an Attachment Contractor's ~~(and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid)~~ list of all OSHA Citations & Notifications of Penalty (monetary or other) received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

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Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all safety citations or violations under any state all received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

Provide the following for the firm listed in Section V (and for each proposed Subcontractor furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) the following (attach additional sheets as necessary):

Workers' compensation Experience Modification Rate (EMR) for the last 5 years:

YEAR	2015	EMR	1.02
YEAR	2014	EMR	1.08
YEAR	2013	EMR	.80
YEAR	2012	EMR	.81
YEAR	2011	EMR	1.06

Total Recordable Frequency Rate (TRFR) for the last 5 years:

YEAR	2015	TRFR	1.02
YEAR	2014	TRFR	1.08
YEAR	2013	TRFR	.80
YEAR	2012	TRFR	.81
YEAR	2011	TRFR	1.06

Total number of man-hours worked for the last 5 Years:

YEAR	2015	TOTAL NUMBER OF MAN-HOURS	18,512
YEAR	2014	TOTAL NUMBER OF MAN-HOURS	209,514
YEAR	2013	TOTAL NUMBER OF MAN-HOURS	72,821
YEAR	2012	TOTAL NUMBER OF MAN-HOURS	29,298
YEAR	2011	TOTAL NUMBER OF MAN-HOURS	66,663

Provide Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) Days Away From Work, Days of Restricted Work Activity or Job Transfer (DART) incidence rate for the particular industry or type of Work to be performed by Contractor and each of Contractor's proposed Subcontractors and Suppliers) for the last 5 years:

YEAR	_____	DART	_____
YEAR	_____	DART	_____
YEAR	_____	DART	_____
YEAR	_____	DART	_____
YEAR	_____	DART	_____

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13. **EQUIPMENT:**

MAJOR EQUIPMENT:

List on **Schedule C** all pieces of major equipment available for use on Owner's Project.

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I HEREBY CERTIFY THAT THE INFORMATION SUBMITTED HEREWITH, INCLUDING ANY ATTACHMENTS, IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME OF ORGANIZATION: F AND P Construction

BY: [signature]

TITLE: Estimator

DATED: 8/20/15

NOTARY ATTEST:

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 20TH DAY OF Aug. 20 15

J. PAUL ITHURRALDE
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-59492-2 - Expires July 20, 2016

NOTARY PUBLIC - STATE OF Nevada

MY COMMISSION EXPIRES: 7/20/16

REQUIRED ATTACHMENTS

1. Schedule A (Current Experience).
2. Schedule B (Previous Experience).
3. Schedule C (Major Equipment).
4. ~~Audited balance sheet for each of the last 3 years for firm named in Section 1.~~
5. Evidence of authority for individuals listed in Section 7 to bind organization to an agreement.
6. Resumes of officers and key individuals (including Safety Officer) of firm named in Section 1.
7. Required safety program submittals listed in Section 13.
8. Additional items as pertinent.

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SCHEDULE A

CURRENT EXPERIENCE

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				

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F and P Construction 2015

T&M Equipment Rates (Operated)

Equipment	Operated Rate	Overtime Rate
Backhoe	100	122.5
Skip Loader	100	122.5
Skid Steer	80	102.5
WA320 Loader	110	132.5
WA380 Loader	130	152.5
WA470 Loader	155	177.5
WA500 Loader	250	272.5
WA600 Loader	355	377.5
Case 721 Loader	130	152.5
Case 921 Loader	155	177.5
CASE 1021 Loader	205	227.5
Mini-Excavator	85	107.5
HB215 Excavator	105	127.5
138 Excavator	100	122.5
360 Excavator	155	177.5
490 Excavator	190	212.5
490 Exc. w/ hammer	310	332.5
650 Excavator	250	272.5
700 Excavator	245	267.5
1250 Excavator	405	427.5
End Dump	155	177.5
10 Wheel Dump Truck	140	162.5
Side Dump (Single)	175	197.5
Side Dump(Double)	205	227.5
Belly Dump (Single)	160	182.5
Belly Dump (Double)	180	202.5
Transfer Truck	200	222.5
HM300 30t Truck	160	182.5
HM400 40t Truck	205	227.5
GD655 Blade	150	172.5
140M Blade	175	197.5
14M Blade	275	297.5
375 Dozer	340	362.5
275 Dozer	265	287.5
155 Dozer	220	242.5
D61Ex Crawler Dozer	145	167.5
48" Compactor	80	102.5
84" Compactor	110	132.5
815 Compactor	280	302.5
825 Compactor	320	342.5
Watertruck	100	122.5
Waterpull	180	202.5
Trencher	100	122.5

Miscellaneous Equipment Rates (Un-operated)

Service Trucks		60
Pick-Up Truck		15
Light Plant		35

Paul Ithurralde

5165 Komatite Court
Sparks, NV 89436
(775) 221-1480
Paul@fandpconstruction.com

Position

Head Estimator and Project Manager, F and P Construction

Employment History

Mine / Blasting crew member and survey assistant
1988 -1990 Atlas Gold, Eureka NV

- Drill Rig assistant / sample taker
- Blast crew
- Survey assistant (heap and stockpile mapping)

Exploratory Crew Foreman
1991-1994 Atlas Gold, Eureka, NV

- Ran a 4 man exploratory survey and mineral mapping crew whose primary duties were to locate and map potential further lode sites.

Construction Crew and Foreman
1995-1996 Amax Gold, Fairbanks, AK
Projects of note:

- General Construction and infrastructure set-up for Fort Knox Mine consisting mainly of haul roads to and from the construction zone and clear and grub operations for initial construction pads.

Shipping and Receiving Supervisor
1997-1998 Winkle Pontiac GMC
Duties and responsibilities:

- Receipt and documentation of all incoming materials.
- Order documentation and routing of outgoing materials.
- Delivery Scheduling.

Job Estimating and Project Costing
1999-2001 F and P Construction, Carson City, NV
Projects of note:

- South Virginia US Postal Office, Reno, NV
- Harley Davidson Financial Building, Carson City, NV
- Caughlin Ranch Subdivisions, Reno, NV
- Carson City High School, Carson City, NV

Waterworks Manager
2001-2003 Familian Northwest
Duties and responsibilities:

- Establish new sales customers in the area.
- Establish inventory and stocking requirements.
- Establish sources of supply consistent with local area specifications and construction designs.

Estimator and Project Manager
2003-Present F and P Construction, Reno, NV
Projects of note:

- Lear 220, Reno, NV
- Lear 350, Reno, NV
- Lear 400, Reno, NV
- Lear 390, Reno, NV
- Lear 450, Reno, NV
- USA Parkway Phase I, Tahoe Reno Industrial Center
- USA / I-80 Interchange, Tahoe Reno Industrial Center
- USA Parkway Phase II, Tahoe Reno Industrial Center
- UPC Industrial, Tahoe Reno Industrial Center
- Pittsburgh Paint, Tahoe Reno Industrial Center
- Tire Rack, Tahoe Reno Industrial Center
- Diapers R Us, Tahoe Reno Industrial Center
- Advanced Refining Concepts, Tahoe Reno Industrial Center
- Britain Drive, Tahoe Reno Industrial Center
- Peru Drive, Tahoe Reno Industrial Center
- Milan Drive, Tahoe Reno Industrial Center
- McShane Industrial Complex, Tahoe Reno Industrial Center
- Italy Drive, Tahoe Reno Industrial Center
- Pioneer Meadows I, Sparks, NV
- Pioneer Meadows II, Sparks, NV
- Sydney Drive, Tahoe Reno Industrial Center
- R Supply warehouse and office, Reno, NV
- Mill and McCarran Business Park, Reno, NV
- Walmart Stead, Reno, NV
- Gateway Commerce Center, Tahoe Reno Industrial Center
- Arrowcreek Parkway, Reno, NV
- Project Neptune, Tahoe Reno Industrial Center
- Project Wild Horse, Reno, NV

References

Vincent J. Griffith
REC
Owner

(775) 852-5700 Work
(775) 771-9575 Mobile
Vince@recnv.com
8725 Technology Way
Reno, NV 89521

MATT RASMUSSEN
TECTONICS

(775) 824-9988 x11 Work
(775) 223-6107 Mobile
matt@tdg-inc.net

6880 S. McCarran Blvd #11
Reno, NV 89509

Roger Norman
TriCenter LLC
Owner

(858) 693-9053 Work
(858) 449-9554 Mobile

P.O. Box 838
Poway, CA 92074

Matt Clafton
PANATTONI CONSTRUCTION
Estimator

(775) 827-4631 x224 Work
(775) 745-0586 Mobile
mbc@panconinc.com
730 SANDHILL DR, SUITE 110
RENO, NV 89521
United States of America

Kraig Knudsen
Tanamera Development

(775) 250-2789 Work
(775) 850-4200 Work
kknudsen@tcnev.com

5470 Reno Corporate Drive
Reno, NV 89511

Bill Miles
MILES BROTHERS CONSTRUCTION INC.
Owner

(775) 246-3722 Work
(775) 230-6658 Mobile
fmaxim@milesconst.com
61 INDUSTRIAL PARKWAY
CARSON CITY, NV 89706

Dal Hunter
Black Eagle Consulting
Geotechnical Engineer

(775) 359-6600 Work
dhunter@blackeagle.com

1345 Capital Blvd. Suite A
Reno, NV 89502-7140

Bob Lariviere
CFA
Survey Master

(775) 856-1150 Work
(775) 240-0372 Mobile
blariviere@cfareno.com
1150 CORPORATE BLVD
RENO, NV 89502

Travis Elenitsky

TElenitsky@mcshane.com

Marc Siegel
SJS Realty Services, LLC
Owner

(847) 236-9256 Work
(847) 668-7186 Mobile
marc@sjsrealty.net
790 Estate Drive
Suite 150
Deerfield, Illinois 60015

Jason Quintel
Seefried Industrial Properties, INC
Senior Vice President, Western Region
(602) 337-8730 ext. 28 Work
(602) 300-3648 Mobile
Jasonquintel@seefriedproperties.com
2201 E. Camelback Rd., Suite 225B
Phoenix, AZ 85016
www.seefriedproperties.com

Dayton Pitts

1107 Monterrey Ct.
Minden, NV 89423
(775) 221-1462
Dayton@fandpconstruction.com

Position

Field Supervisor, F and P Construction

Employment History

Operator
1996-1999 F and P Construction, Carson City, NV

- Equipment operator
- Site layout
- Utility installation and layout

Site Foreman
1999-2001 F and P Construction, Carson City, NV
Projects of note:

- South Virginia US Postal Office, Reno, NV
- Harley Davidson Financial Building, Carson City, NV
- Caughlin Ranch Subdivisions, Reno, NV
- Carson City High School, Carson City, NV
- South Meadows Business Center, Reno, NV

Supervisor
2001-Present F and P Construction, Reno, NV
Projects of note:

- Lear 220, Reno, NV
- Lear 350, Reno, NV
- Lear 400, Reno, NV
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- Lear 450, Reno, NV
- USA Parkway Phase I, Tahoe Reno Industrial Center
- USA / I-80 Interchange, Tahoe Reno Industrial Center
- USA Parkway Phase II, Tahoe Reno Industrial Center
- UPC Industrial, Tahoe Reno Industrial Center
- Pittsburgh Paint, Tahoe Reno Industrial Center
- Tire Rack, Tahoe Reno Industrial Center
- Diapers R Us, Tahoe Reno Industrial Center
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- Gateway Commerce Center, Tahoe Reno Industrial Center
- Arrowcreek Parkway, Reno, NV
- Project Neptune, Tahoe Reno Industrial Center
- Project Wild Horse, Reno, NV

References

Vincent J. Griffith
REC
Owner

(775) 852-5700 Work
(775) 771-9575 Mobile
Vince@recnv.com
8725 Technology Way
Reno, NV 89521

MATT RASMUSSEN
TECTONICS

(775) 824-9988 x11 Work
(775) 223-6107 Mobile
matt@tdg-inc.net

6880 S. McCarran Blvd #11
Reno, NV 89509

Roger Norman
TriCenter LLC
Owner

(858) 693-9053 Work
(858) 449-9554 Mobile

P.O. Box 838
Poway, CA 92074

Matt Clafton
PANATTONI CONSTRUCTION
Estimator

(775) 827-4631 x224 Work
(775) 745-0586 Mobile
mbc@panconinc.com
730 SANDHILL DR, SUITE 110
RENO, NV 89521
United States of America

Kraig Knudsen
Tanamera Development

(775) 250-2789 Work
(775) 850-4200 Work
kknudsen@tcnev.com

5470 Reno Corporate Drive
Reno, NV 89511

Bill Miles
MILES BROTHERS CONSTRUCTION INC.
Owner

(775) 246-3722 Work
(775) 230-6658 Mobile
fmaxim@milesconst.com
61 INDUSTRIAL PARKWAY
CARSON CITY, NV 89706

Dal Hunter
Black Eagle Consulting
Geotechnical Engineer

(775) 359-6600 Work
dhunter@blackeagle.com

1345 Capital Blvd. Suite A
Reno, NV 89502-7140

Bob Lariviere
CFA
Survey Master

(775) 856-1150 Work
(775) 240-0372 Mobile
blariviere@cfareno.com
1150 CORPORATE BLVD
RENO, NV 89502

Travis Elenitsky

TElenitsky@mcshane.com

Marc Siegel
SJS Realty Services, LLC
Owner

(847) 236-9256 Work
(847) 668-7186 Mobile
marc@sjsrealty.net
790 Estate Drive
Suite 150
Deerfield, Illinois 60015

Jason Quintel
Seefried Industrial Properties, INC
Senior Vice President, Western Region
(602) 337-8730 ext. 28 Work
(602) 300-3648 Mobile
Jasonquintel@seefriedproperties.com
2201 E. Camelback Rd., Suite 225B
Phoenix, AZ 85016
www.seefriedproperties.com

Randy E. Pitts

4765 Franktown Rd.
Franktown, NV 89704
(775) 221-1460
Randy@fandpconstruction.com

Position

President/Owner of F and P Construction Co. Inc.

Employment History

Operating Engineer
W.E. Vining Co. Inc.
August 1973 - August 1977

- Dumbarton Bridge, Fremont, Ca.
- Operator, Driller, Blaster

Supervisor
W.E. Vining Co. Inc.
August 1977 - Nov 1982

- Comstock Mine, Virginia City, NV
- Borealis Mine, Hawthorne, NV
- Bald Mountain Mine, Ely, NV

VP of Operation
W.E. Vining Co. Inc.
Nov 1982 - July 1985

- Manhattan Mine, Manhattan, NV

Northern Nevada President of Operations
W.E. Vining Co. Inc.
July 1985 - August 1991

- Windfall Mine, Eureka NV
- Illipah Mine, Eureka NV

President/Owner
F and P Construction Co. Inc.
June 1991 - Present

References

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REC
Owner

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Reno, NV 89521

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TECTONICS

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Jasonquintel@seefriedproperties.com
2201 E. Camelback Rd., Suite 225B
Phoenix, AZ 85016
www.seefriedproperties.com

Chuck Reno

From: Lystra Pitts <lystra@fandpconstruction.com>
Sent: Thursday, August 20, 2015 3:15 PM
To: Chuck Reno
Subject: Sub list
Attachments: 20150820151858294.pdf; ATT00001.htm

Here you go

Lystra Pitts

Begin forwarded message:

> **From:** <scan@fandpconstruction.com>
> **Date:** August 20, 2015 at 12:18:58 PM PDT
> **To:** Lystra Pitts <lystra@fandpconstruction.com>
>
> This E-mail was sent from "Upstairs-Ricoh" (Aficio MP C2500).
>
> Scan Date: 08.20.2015 15:18:58 (-0400)
> Queries to: scan@fandpconstruction.com

5% SUPPLIERS LIST

Each Bidder shall list below the name of each supplier who will provide materials or equipment to the Contractor for which they will be paid an amount exceeding five (5) percent of the Bidder's total Bid and the number of the license issued to the supplier pursuant to Chapter 624 of the NRS. The Bidder shall also list themselves as supplying all remaining Work items not otherwise supplied that is exceeding 5% of the total Bid. A general description of this Work shall be listed.

Project Name: MILAN PAVING
Bidder Name: F AND P CONSTRUCTION
Bidder Address: 4607B AIRCENTER CIRCLE RENO NV 89502
Telephone No.: 775.851-3449

Supplies to be Provided	Percent of Total Contract	Supplier's Name, Address, and License Number
1. GRADING	*(Percentage:)* 89	*(Prime Contractor)* F AND P CONSTRUCTION
2. BASE	11%	*(Supplier)* GOPHER CONSTRUCTION
3.		*(Supplier)*
4.		*(Supplier)*
5.		*(Supplier)*
6.		*(Supplier)*
7.		*(Supplier)*
8.		*(Supplier)*

NOTE: *Additional numbered pages may be attached if needed.*

5% SUBCONTRACTOR LIST

Each Bidder shall list below the name of each subcontractor who will provide labor or a portion of the Work to the Contractor for which he will be paid an amount exceeding five (5) percent of the Bidder's total Bid and the number of the license issued to the subcontractor pursuant to Chapter 624 of the NRS. The Bidder shall also list themselves as performing all remaining Work not otherwise subcontracted that is exceeding 5% of the total bid. A general description of this Work shall be listed.

Project Name: MILAN PAVING
Bidder Name: F AND P CONSTRUCTION
Bidder Address: 4706B AIRCENTER CIRCLE RENO NV 89502
Telephone No.: 775 851-3449

Work to be Performed	Percent of Total Contract	Subcontractor's Name, Address, and License Number
1. GRADING AND BASE	*(Percentage of work:)* 32.5%	*(Prime Contractor)* F AND P CONSTRUCTION
2. PAVING	67%	*(Subcontractor)* SNC
3. STRIPING	.5%	*(Subcontractor)* INTERMOUNTAIN
4.		*(Subcontractor)*
5.		*(Subcontractor)*
6.		*(Subcontractor)*
7.		*(Subcontractor)*
8.		*(Subcontractor)*

NOTE: *Additional numbered pages may be attached if needed. 5% Suppliers may be included on this or another page.*

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 9/1/15 **Estimate of time required:**

Agenda: Consent [ ] Regular agenda [x] Public hearing required [ ]

---

1. **Title:** Dr. Vincent Malfitano, Liquor & General business licenses for The Bonanza & The Delta

2. **Recommended motion:** Approve application of Liquor & General business licenses for Dr. Vincent Malfitano for The Bonanza & The Delta saloons

3. **Prepared by:** Brandy Gavenda, Admin. Asst.

   Department: SCSO **Telephone:** 775-847-0959

4. **Staff summary:**

5. **Supporting materials:**

6. **Fiscal impact: None**

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   _X__ Department Head Department Name: Sheriff, Gerald Antinoro

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No. 13

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: September 1, 2015 **Estimate of time required:** 5 min.

Agenda: Consent [ ] Regular agenda [ ] Public hearing required [x]

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1. **Title:** Discussion and possible action to approve the second reading of Ordinance 15-266, an ordinance amending Storey County Code section 17.12.064 Public Utility Uses to establish a procedure for permitting aboveground utility projects and renewable energy generation projects and providing for other properly related matters.

2. **Recommended motion:** I move to continue Ordinance 15-266 to October 6, 2015.

3. **Prepared by:** Robert Morris, outside counsel, and Austin Osborne, Planning Director

Department: District Attorney's Office **Tel:** 847-0964

4. **Staff summary:** As part of the master plan process required by Nevada Revised Statutes 278.165, the planning commission must prepare and the board approve an aboveground utility plan that designates corridors for the construction of aboveground utility projects that is consistent with any transmission plan prepared by the Office of Energy, that ensures the continuity of transmission corridors and is consistent with the aboveground utility plan of adjacent jurisdictions, and that is consistent with any Bureau of Land Management resource management plan.
(Continued on next page.)

5. Supporting materials: Ordinance 15-266

6. **Fiscal impact:** None

7. **Legal review required:** Yes ____ District Attorney

8. **Reviewed by:**
____ Department Head Department Name: Commissioner's Office

____ County Manager Other agency review: _____

9. **Board action:**
[ ] Approved [ ] Approved with Modifications
[ ] Denied [ ] Continued

Agenda Item No. 14

4. **Staff summary continued:**

The utility corridor plan is being prepared as part of the Storey County master plan process. In addition, NRS 278.26503 require the governing body to establish a process for the issuance of permits for aboveground utility projects and renewable energy generation projects. If the project is located in a master plan aboveground utility corridor just a permit is required. If the project is outside of a master plan aboveground utility corridor a special use permit is required. A special use permit is also required for the construction of a renewable energy generation project with a nameplate capacity of 10 megawatts or more. This ordinance provides for that process. Staff has determined that the ordinance should continue to be worked on and request that the board continue the item to the meeting of October 6, 2015. The additions made to the text are shown in blue underlined italics and deletions are shown as strike-outs in red. The current changes define aboveground utilities and reduce the minimum size of a renewable project that comes under this section to 1 megawatt.

Ordinance No. 15-266

Summary

An ordinance amending Storey County Code section 17.12.064 Public Utility Uses to establish a procedure for permitting aboveground utility projects and renewable energy generation projects.

Title

An ordinance amending Storey County Code section 17.12.064 Public Utility Uses to establish a procedure for permitting aboveground utility projects and certain renewable energy generation projects and providing for other properly related matters.

Recitals

As part of the master plan process required by Nevada Revised Statutes 278.165, the planning commission must prepare and the board approve an aboveground utility plan that designates corridors for the construction of aboveground utility projects that is consistent with any transmission plan prepared by the Office of Energy, that ensures the continuity of transmission corridors and is consistent with the aboveground utility plan of adjacent jurisdictions, and that is consistent with any Bureau of Land Management resource management plan. The utility corridor plan is being prepared as part of the Storey County master plan process. In addition, NRS 278.26503 require the governing body to establish a process for the issuance of permits for aboveground utility projects and **certain** renewable energy generation projects. This ordinance provides for that process.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I:

17.12.064 Public utility uses-*Issuance of permit for utility projects.*

~~The provisions of this title do not apply to the construction, installation, operation and maintenance of public utility distribution and transmission lines, towers and poles and underground facilities for providing gas, water, electricity, telephone, telegraph or communication services by public utility companies under the jurisdiction of the Public Utilities Commission of the State of Nevada; provided, before a public utility acquires any right-of-way for a transmission line, the proposed route must be submitted to the planning commission for review and recommendation to the board. This exemption does not apply to commercial cellular and other wireless communication antenna support structures and towers.~~ (Ord. No. 12-244, § I, 12-4-2012)

A. "Aboveground utility" means an aboveground electric transmission line, ***transmission substation, and power substation*** *which is designed to operate at 200 kilovolts or more and which has been approved for construction after October 1, 1991, by the State or Federal Government or a governing body.*

B. Any aboveground utility project, which is planned to be located in an ~~overhead~~ ***aboveground*** *utility corridor identified on the master plan, must submit the plans for the project to the planning department. The director of planning must review the plans and if the director determines the plans are complete and the location is within the master plan designated corridor, the director may ~~approve the project~~* ***determine that the project is an allowed use and allow it to move forward with applicable permitting.***

C. Any aboveground utility project that is located outside an aboveground utility corridor identified in the master plan is required to have a special use permit. In addition to meeting all the general requirements for a special use permit including a public hearing, the special use permit must not be approved unless it meets the following additional criteria:

1. The construction of the aboveground utility does not conflict with any existing or planned infrastructure or other utility projects.

2. The board determines that the proximity of the proposed corridor to any school, hospital or urban residential area with a density greater than 2 units per gross acre is acceptable.

If the aboveground utility project is on federally owned land, at the beginning of the federal review and permit application process, the applicant must have a pre-application meeting with the planning department. The applicant may submit, as an application to the county, the appropriate documents related to the environmental review by state and federal land management agencies. If the applicant is required to apply to the Public Utilities Commission of Nevada, the copy of the application is required to be served on the county, pursuant to NRS, will constitute the environmental documents that make up the application to the county.

D. Any renewable energy generation project with a nameplate capacity of ~~10 megawatts~~ **1 megawatt** *or more is required to have a special use permit and must* **be** *~~a permitted use~~* **an allowed use or allowed use with a special use permit** *in the zone where the ~~plant~~* **renewable energy generation facility** *will be located.*

E. An applicant for the issuance of a special use permit for the construction of any utility project or for the construction of a renewable energy generation project with a nameplate capacity of ~~10 megawatts~~ **1 megawatt** *or more who:*

1. Believes that the decision of the planning commission or governing body to approve or deny the applicant's application was not timely; or

2. Disagrees with any conditions imposed by the special use permit issued by the planning commission or governing body; may, in the manner prescribed by the Public Utilities Commission of Nevada by regulation, petition the Public Utilities Commission of Nevada to review the decision of the planning commission or governing body.

Proposed on _____, 2015.

by Commissioner _____

Passed on _____, 2015.

Vote: Ayes Commissioners _____

_____

_____

Nays Commissioners _____

_____

Absent Commissioners _____

_____
Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

_____
Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____.

Vanessa Stephens

From: Pat Whitten
Sent: Monday, August 24, 2015 11:22 AM
To: Vanessa Stephens
Cc: Anne Langer; Keith Loomis; Mike Nevin
Subject: 9/1 Agenda Item

Hi V-

Would you please add the following item to the agenda:

DISCUSSION/POSSIBLE ACTION: Consideration of Commissioner request for County to provide necessary funding to cape seal the approximately 2 +/- miles of Cartwright Road owned by the Home Owner's Association(s).

Tns,

P-

Pat Whitten
County Manager
Storey County

(775) 847-0968 (Office)
(775) 721-7001 (Cell)
PWhitten@StoreyCounty.org

Storey County is an equal opportunity provider and employer.

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 09/01/15 **Estimate of time required:** 20 min.

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

---

1. **Title:** **(Continued from 08/04/15 meeting)** Discussion/Possible Action: **FIRST READING Ordinance No. 15-269:** Application No. 2014-020 by the Tahoe-Reno Industrial Center, LLC to amend the text of Storey County Code Title 17 (Zoning Ordinance) by adding Chapter 17.39 IC Industrial-Commercial Zone. The intent of the proposed IC Zone is to provide for certain mixed-use industrial and commercial uses where found appropriate by the board with recommendation by the planning commission. Additional information including, but not limited to, reports and the draft zone text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org.

2. **Recommended motion:** Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the master plan, and the recommendation for approval by staff and the planning commission, I (Commissioner) motion to approve Storey County Zone Text Amendment Application No. 2014-020 to include "Chapter 17.39 IC Industrial Commercial Zone" to Storey County Code, Title 17 Storey County Zoning Ordinance.

3. **Prepared by:** Austin Osborne

   Department: Planning **Telephone:** 847-1144

4. **Staff summary:** Text amendment of Storey County Code Title 17 (Zoning Ordinance) as explained and recommended in Staff Report No. 2014-020.

5. **Supporting materials:** Staff Report No. 2014-020 enclosed herewith

6. **Fiscal impact:** None on local government.

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   ____ Department Head Department Name:

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No. 16

Storey County
Board of County Commissioners
Staff Report – **Zone Text** Amendment

To:	Storey County Board of County Commissioners
From:	Storey County Planning Department
Meeting Dates:	September 9, 2015 (continued from prior meetings)
Meeting Location:	Storey County Courthouse 26 South "B" Street, Virginia City, Nevada
Case Number:	2014-020
Request:	The applicant requests a text amendment to Storey County Code Title 17 Storey County Zoning Ordinance that will add Chapter 17.39 I-C Industrial-Commercial Zone.
Applicant:	Tahoe-Reno Industrial Center, LLC
Property Owner:	Not applicable
Staff Contact:	Austin Osborne, Planning Director
Guiding Documents:	Storey County Code (SCC) 17.03 Administrative Provisions; SCC 17.28 Commercial Zone; SCC 17.34 Light Industrial Zone; 17.35 Heavy Industrial Zone; SCC 17.84 Signs and Billboards; Storey County Master Plan, River District, Industry, and Economic plans.
Property Location:	Not applicable

1. BACKGROUND & ANALYSIS

1.1 Request summary

The applicant requests an amendment to the text of Storey County Code Title 17, also known as the Storey County Zoning Ordinance (zoning ordinance), that will create Chapter 17.39 I-C Industrial-Commercial Zone. There is no particular parcel or property associated with this request. However, the applicant of the text amendment submitted a zone map amendment application (see Application No. 2014-021) to apply the proposed I-C Zone, if approved by the board, to land located adjacent to the Tahoe-Reno Industrial Center at McCarran.

1.2 Purpose and intent of the proposed zone

The proposed I-C Zone combines certain commercial, light industrial, and heavy industrial uses now allowed pursuant to SCC Chapters 17.28 Commercial Zone, 17.34 I-1 Light Industrial Zone, and 17.35 I-2 Heavy Industrial Zone. Unlike the existing Commercial zone that provides for general neighborhood and regional commercial uses, and the Heavy Industrial zone that provides for heavy manufacturing and other high-intensity uses, the I-C zone is intended to facilitate a heavy commercial and light industrial mixed-use environment that may be well-suited for heavy arterial traffic corridors, such as Interstate 80 or USA Parkway, that interface and serve large industrial developments.

1.3 Land use compatibility

1.3.1 Compatibility with surrounding uses

The subject application for zone text amendment does not apply to any parcel of land. However, the potential application of this zoning designation to land in the future should be considered. Table 1.1 – Use Comparisons, demonstrates allowed uses in the proposed I-C zone and compares them with those allowed in the Commercial, Light Industrial, and Heavy Industrial zones, from which each listed I-C use originated. The Purpose and Intent of the proposed I-C zone (17.39.015, proposed) states that:

> The purpose of the I-C Industrial-Commercial zone is to provide areas with the county where certain industrial and commercial uses and activities may be established and maintained together to promote efficiency, ensure compatibility, and provide for mixed non-residential uses. It facilitates a heavy commercial and light industrial mixed-use environment that may be well-suited near principal traffic arterials, such as the Interstate 80 corridor, and industrial development with which the allowed use are compatible.

I-C zoning is intended to be applied to land that is in close proximity to principal traffic arterial routes and existing industrial type uses with which allowed uses in the I-C zone are compatible. It is not considered an appropriate zone for residential areas or general neighborhood commercial areas, such as Gold Hill, Virginia City, and Lockwood where C Commercial or CR Commercial-Residential zoning may be more appropriate.

1.3.2 Compatibility with mixed-uses within the zone

Table 1.1 shows allowed uses in the I-C zone. Because the I-C zone provides for a mixed-use commercial-industrial environment, it should be assumed that the listed uses may occur together on a single property (e.g., such as in a strip-mall or cluster development) or in a group of independent but closely situated properties.

To ensure compatibility between the allowed uses, setback distance requirements in the I-C zone (17.39.070, proposed) are particular to the use category, that being commercial, light industrial, or heavy industrial (see setbacks, height, and area requirements in Table 1.2 – Comparison of Use Allowances). Planning staff finds that that the required setback distances facilitate a mixed-use environment with necessary separation and other considerations between allowed uses.

A special use permit is required for certain heavy intensity uses in the I-C zone that may be incompatible with each other, or may be incompatible with allowed uses in zones likely to occur adjacent to the I-C zone (see Section 3.1.1). Board and planning commission approvals are required for special use permits. It is, therefore, found that these uses have the necessary case-by-case governing body oversight to assure that their application will cause no zoning or use conflicts with other conditions that may apply.

Table 1.1
Use Comparison

	Use categories	Commercial	Light Industrial	Heavy Industrial	**Industrial Commercial**
1	Retail (principle)	X			X
2	Retail (super regional)	X			X
3	Commercial offices	X			X
4	Personal services	X			X
5	Hotels and boarding	X			X
6	Tourism and visitor	X			X
7	Recreation facilities	X			X
8	Public infrastructure	X			X
9	Schools and higher ed.	X	X	X	X
10	Equipment repair	X	X		X
11	Indoor firearms use	X			X
12	Outdoor firearms use	X		X*	
13	Automotive services	X	X	X	X
14	Truck stops	X	X*	X	X
15	Agriculture	X	X		
16	Billboards	X		X*	X*
17	Automotive paint	X		X	X
18	Casinos (large-scale)	X	X*		X
19	Fortune tellers	X			X*
20	RV parks	X			X
21	Mini-storage	X	X	X	X
22	Hospitals / urgent care	X*	X*	X	X
23	Crisis care, permanent	X		X	X
24	Open-air markets	X			X

25	Fairgrounds	X			X*
26	Amusement parks	X			X*
27	Film and movie sets	X		X*	X*
28	Race tracks	X		X*	X
29	Education boarding	X*		X*	X*
30	Light manufacturing		X	X	X*
31	Heavy manufacturing			X	
32	Warehouses		X	X	X
33	Chemical/oil storage		X	X	X
34	Chemical manufacture			X*	
35	Laboratory testing		X[1]	X[1]	X[1]
37	Non-renewable energy			X*	
38	Renewable energy		X*	X*	
39	Solid waste recycling		X*	X	X
40	Solid waste landfill			X*	
21	Solid waste collection		X*	X	X
22	Natural resources		X*	X*	X*
23	Concreate plant (perm)			X*	
24	Adult retail	X		X*	X*
24	Mining			X*	
25	Mine processing			X*	X*

Uses shown above are categorized into general use categories; see Storey County Code Chapters 17.24, 17.32, 17.35, 17.76, and 17.84 for specific uses in each zone.

**Asterisks indicate uses requiring a special use permit.*

[1]The use of live animals in laboratory testing is prohibited.

Table 1.2 **Comparison of Use Allowances**	
	Regulations per SCC Title 17
1.	**Height**
	C – 45' or 3 stories
	I-1 – 35' or 3 stories
	I-2 – 75' or 6 stories
	I-C – 120' or 10 stories
2.	**Setback distances**
	C – zero front and sides; 10' rear
	I-1 – 20'
	I-2 – 50'
	I-C - heavy industry, 50'; light industry, 20'; commercial, 20' front, 10' rear
3.	**Minimum parcel area / use density**
	C – 15,000 sq.'
	I-1 – 1 acre
	I-2 – 3 acres
	I-C – heavy industry, 3 acres; light industry, ½ acre; commercial, 10,000 square-feet

2. General Compliance with Guiding Documents

2.1 Master Plan

Chapter 3.2 of the Storey County Master Plan (1994) states that considerable development has occurred in the River District over the years and that development is expected to continue. It recommends that planning officials "give serious consideration to development and zoning for an industrial park in the [River District] area" (pp. 19-20). Attracting additional businesses; diversification to the county's economy; broadening the county's tax base; enhancing efficiency of water, sewer, and other utility service; and managing growth are described benefits to improving and consolidating industrial development in the county. Specific goals and objectives listed in the master plan in this regard include:

- ***Chapter 3 Economy*** – Goal 1, enhance diversification of economic opportunities within the county; Goal 1, Objective 1.1: develop and adopt standards for industrial park development before a large project is proposed.

- ***Chapter 5 Conservation and Natural Resources*** – Goal 2, protect the quality of present and future water resources; Goal 4, regulate the use of open-range and watershed areas to minimize fire danger and prevent degradation; Goal 4, Objective 4.1, assist property owners and interested groups in controlling grazing and public use of critical watershed and riparian areas.

- ***Chapter 9 Land Use*** – Goal 1: maintain a healthy environment for all residents of the county; Goal 1, Objective 1.1: ensure that land use permit decisions are compatible with the zoning map, master plan, and previous planning decisions; Goal 4: preserve existing agricultural areas; Goal 4, objective 4.1: through zoning regulations, direct non-agricultural development to non-agricultural areas.

- ***Section River District*** – Goal 4, Objective 4.1: coordinate land uses on the south side [Storey County] of the Truckee River with developments on the north side [Washoe County] of the river and visa-versa; Goal 5: design zoning districts to allow for a mix in land use development; Goal 5, Objective 5.1: consider zoning the Tracy-Clark and the surrounding area for industrial use.

As stated in Section 1.3, the subject text amendment application does not apply to any particular land. However, planning staff and the applicant have identified potential land adjacent to the Tahoe-Reno Industrial Center that may be ideal for an I-C zoning designation. Aligned with the purpose and intent of the I-C zone, this land abuts or is in immediate proximity to Interstate 80, interfaces heavy industrial uses at the Tahoe-Reno Industrial Center, and is near existing infrastructure that would support the listed uses. There are other areas in the county near the interstate or industrial development that too may be considered for this zoning designation.

With the expressed purpose and intent of the proposed I-C zone corresponding to such land application, planning staff find that the I-C zone conforms to the goals and objectives of the county master plan.

2.2 Zoning Ordinance (SCC Title 17)

2.2.1 Conformance with zoning

Storey County is divided into zoning districts of such number and character as necessary to achieve compatibility of land uses within each district, and to implement the master plan and related official plans as needed to meet the purpose and intent of the Storey County Zoning Ordinance. The purpose of the zoning ordinance is to serve the public health, safety, comfort, convenience, and general welfare; to provide the economic and social advantages resulting from an orderly planned use of economic, natural, and community resources; to encourage, guide, and provide for the future growth and development of the county; and to implement the goals, objectives, policies, and procedures of the master plan (SCC 17.02.020).

As stated in Sections 1.3 and 2.1 above, planning staff finds that the purpose and intent, and the uses allowed in the I-C zone conform to the elements of the master plan, as well as the regulations and provisions of the county zoning ordinance.

2.2.2 Application for zone text amendment

SCC 17.03.220 states that amendments to Title 17 (zoning ordinance) may be initiated by the board, planning commission, or an owner of a lot or parcel, by applying with the Planning Director a signed and completed application. The Planning Director must consider whether or not information provided by the applicant substantiates findings for approval. The applicant will then proceed with its presentation of such to the planning commission and board for consideration. The subject application was initiated by the land owner and is hereby presented to the planning commission and board with discussion, findings, and recommendations.

2.2.3 Zone map amendment, applicability

While not subject to this request, a property owner who desires to apply the I-C zone (if adopted), or any other zone to a piece of land, is required to apply for a zone map amendment that will be considered in public hearing by the board with recommendation by the planning commission. The board and planning must consider: (a) how the proposal will impact the immediate vicinity; (b) 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 parcel is situated; (c) if the proposed amendment will impact properties within the use district; and (d) any impacts on public services and facilities, and availability of water resources.

Notwithstanding approval of the I-C zone, any proposal to apply it to land will require further review by the board and planning commission.

3. Public Comment

3.1 Public comments regarding proposal

Staff has received no public comment for this application request.

4. Findings

4.1 Motion for approval

The following are found regarding the zone text amendment under the recommended conditions of approval shown in Section 5. A motion for approval should include at a minimum these findings and may include other findings deemed appropriate and factual by the body.

4.1.1 The zone text amendment complies with federal, Nevada State, and Storey County regulations.

4.1.2 The zone text amendment substantially conforms to and supports the goals, objectives, and recommendations of the Storey County Master Plan concerning land use and related policies.

4.1.3 The zone text amendment considers uses that pursuant to the master plan and zoning ordinance occur on abutting lands, and it reasonably mitigates potential adverse impacts that may be caused by its uses.

4.1.4 The zone text amendment does not conflict with the minimum requirements of Title 17 zoning ordinance or SCC Chapter 17.03 Administrative Provisions for zone text amendments.

4.1.5 The proposed zone text amendment will not cause uses that will likely negatively impact existing or planned public facilities, and it will not adversely impact the public health, safety, and welfare.

4.1.6 The proposed zone text amendment will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area and width requirements.

4.2 Motion for denial

Should a motion be made to deny the zone text amendment application, the following findings with an explanation of the motion for denial should be included in that motion.

4.2.1 Substantial evidence suggests that the zone text amendment does not conform to federal, Nevada State, and Storey County regulations.

4.2.2 Substantial evidence suggests that the zone text amendment does not conform to and support the goals, objectives, and recommendations of the Storey County Master Plan concerning land use and related policies.

4.2.3 Substantial evidence suggests that the zone text amendment does not sufficiently consider uses that may pursuant to the master plan and zoning ordinance occur on abutting lands, and it does not reasonably mitigate potential adverse impacts that may be caused by its allowed uses.

4.2.4 Substantial evidence suggests that the zone text amendment may cause uses that will negatively impact existing or planned public facilities, may adversely impact the public health, safety, and welfare, and may create non-conforming conditions.

5. Conditions of Approval

All of the following conditions must be met to the satisfaction of the applicable County Department, unless otherwise stated.

5.1 Official zoning text requirements

The official Storey County Code, Title 17 Storey County Zoning Ordinance, must be amended to include Chapter "17.39 I-C Industrial Commercial Zone", and existing Chapter 17.08 Zones Generally and other applicable zoning chapters must be amended to appropriately reference the subject zone.

5.2 Official zoning map requirements

The Official Storey County Zoning Map must be amended to depict the subject zone designation that is added to Storey County Code, Title 17 Storey County Zoning Ordinance. The Official Storey County Zoning Map must be identified by the signature of the chairman of the Board attested by the Storey County Clerk under the following words: "This is to certified that this is the Official Zoning Map of Storey County referred to in Section 17.08.040 of the Zoning Ordinance of Storey County, Nevada" together with the date of adoption.

5.3 Changes made promptly

The changes approved by the board with recommendation by the planning commission must be entered by the Planning Department on the Official Storey County Zoning Map (and the applicable area zoning maps) promptly as reasonable after the amendment has been approved, with the entry indicating the ordinance number and date adopted. Regardless of the existence of the purported copies of the Official Storey County Zoning Map and the applicable Area Zoning Map which may periodically be made or published, the Official Storey County Zoning Map and Area Zoning Maps shall be kept in the Office of the Storey County Clerk and Recorder. The Storey County Recorder shall be the final authority as to the current zoning status of the land and water area, buildings, and other structures in the county.

5.4 Copies of official zoning text and map

Signed and sealed copies of the Official Storey County Zoning Map and Area Zoning Maps, and official Storey County Code, Title 17 Storey County Zoning Ordinance, must be available for public viewing at the Offices of the Storey County Clerk and Storey County Recorder.

5.5 General requirements

The zone text amendment and related map amendment must comply with and remain in conformance with all provisions set forth by this zone map amendment and all applicable federal, Nevada State, and Storey County codes and regulations.

6. Power of the Board and Planning Commission

The Board of County Commissioners has the power to make planning and zoning decisions for Storey County and has created the planning commission to advise the Board as provided in Title 2 of the Storey County Code ("SCC") and NRS 278 and 278A. The Planning Commission must perform all duties and functions delegated to a county planning commission by the terms of NRS 278.010 to 278.630, inclusive, and SCC Chapter 2.12 (Planning Commission). The planning commission is advisory to the Board. The Planning Commission must hear applications on special use permits, variances, and appeals of administrative decisions, changes to the county master plan, zoning districts, amendments to SCC Title 18, and all other appropriate subjects and make recommendations to the Board. After considering the Planning Commission's recommendation, the Board by majority vote may approve, approve with conditions, or deny the application, or return the recommendation to the Planning Commission for further consideration.

7. Planning Commission Action

At its November 13, 2014, hearing, the planning commission heard testimony from the applicant, county staff, and the public. Discussion at the meeting included environmental and safety compatibility concerns; access and traffic impacts for several allowed uses; zoning and use entitlements; potential impacts to areas where the zone may be allowable; potential location and placement of the zoning designation; and overall benefits and impacts that the I-C zone may have on the county and its communities. There was no public comment for or against the proposal. Commissioner Tyler asked several questions about traffic and other impacts generated by large-scale casinos allowed by the zone. Planning staff stated that the I-C zone is only allowed near major arterial routes such as Interstate 80 and USA Parkway, which are typically developed to standards that would accommodate large-scale casinos and other uses. Commissioner Tyler and the planning commission asked that a special use permit be required for large-scale casinos. Staff read into the records its recommended findings to be included with a motion for approval. Members of the planning commission who were present voted unanimously (4 votes with 4 planning commissioners present) to approve the zone text amendment in accordance with stated findings and as recommended by staff, except that a special use permit shall be required for large-scale casinos.

8. Proposed Motions

This section contains three motions from which to choose. **Motion 1 for approval** is recommended by staff in accordance with findings under Subsection 4.1. This motion is recommended by staff, but does not conform to the recommendation by the planning commission regarding special use permitting for large-scale casinos. **Motion 2 for approval,** as an alternative, may be made in accordance with findings under Subsection 4.1 and the recommendation by the planning commission, but against the recommendation by staff regarding special use permitting for large-scale casinos. **Motion 3 for denial** may be made and that motion should cite one or more of the findings shown in Subsection 4.2. The findings of fact in the respective section of this report, and other findings of fact determined appropriate by the body should be made part of the motion.

Motion 1 – Recommended motion (approval)

Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the master plan, and the recommendation for approval by staff and the planning commission, except against the recommendation by the planning commission that a special use permit shall be required for large-scale casinos, I (commissioner) motion to approve Storey County Zone Text Amendment Application No. 2014-020 to include "Chapter 17.39 I-C Industrial Commercial Zone" to Storey County Code, Title 17 Storey County Zoning Ordinance.

Summary: Approve zone text amendment as presented, except modify planning commission recommendation so a special use permit is not required for large casinos

Motion 2 – Alternative motion (approval)

Based on findings of fact shown in Subsection 4.1 and the conditions of approval shown in Section 5 of this report, and conformance with federal, state, and county regulations, and the master plan, and the recommendation for approval by staff and the planning commission, except against the recommendation by staff that a special use permit not be required for large-scale casinos, I (commissioner) motion to approve Storey County Zone Text Amendment Application No. 2014-020 to include "Chapter 17.39 I-C Industrial Commercial Zone" to Storey County Code, Title 17 Storey County Zoning Ordinance.

Summary: Approve zone text amendment as recommended by the planning commission, and require a special use permit for large casinos

Motion 3 – Alternative motion (denial)

Based on findings of fact shown in Subsection 4.2 and the conditions of approval shown in Section 5 of this report, or other findings found appropriate, and against the recommendation for approval by staff and the planning commission, I (commissioner) motion to a deny Storey County Zone Text Amendment Application No. 2014-020 to include "Chapter 17.39 I-C Industrial Commercial Zone" to Storey County Code, Title 17 Storey County Zoning Ordinance.

Summary: Deny text amendment

Prepared by Austin Osborne, Planning Director

Enclosures:

Exhibit A: Proposed Chapter 17.39 I-C Industrial-Commercial Zone
Exhibit B: Application No. 2014-020

Exhibit A: Proposed Chapter 17.39 I-C Industrial-Commercial Zone

Chapter 17.39

IC Industrial-Commercial Zone

Sections:

17.39.010 Applicability.
17.39.015 Purpose and Intent
17.39.020 Allowed Uses
17.39.030 Uses Subject to Special Use Permit
17.39.040 Height and Width of Buildings and Structure
17.39.050 Minimum Parcel Area
17.39.070 Loading Area
17.39.080 Setback Requirements

17.39.010 Applicability

The provisions of this chapter apply to the IC Industrial-Commercial Zone. Uses in the C Commercial Zone are regulated by chapter 17.28 C Commercial Zone and uses in the CR Commercial-Residential zone are regulated by chapter 17.30 Commercial-Residential zone.

17.39.015 Purpose and Intent

The purpose of the IC Industrial-Commercial zone is to provide areas within the county where certain industrial and commercial uses and activities may be established and maintained together to promote efficiency, ensure compatibility, and provide for mixed non-residential uses. It facilitates a heavy commercial and light industrial mixed-use environment that may be well-suited near principal traffic arterials, such as the Interstate 80 corridor, and industrial development with which the allowed uses are compatible. It is not intended for residential areas or general neighborhood commercial areas, such as Gold Hill, Virginia City, Lockwood, or other such residential communities where C Commercial or CR Commercial Residential zoning may be more appropriate.

17.39.020 Allowed Uses

The commercial, light industrial, and heavy industrial uses listed in this section are allowed in the IC Industrial-Commercial Zone.

A. Commercial uses including:

1. Retail sales and shopping centers including:

    a. General stores, shopping centers, convenience stores, principal grocery stores, neighborhood stores and shopping centers, regional stores and shopping centers, and super regional stores and shopping centers.

    b. Seasonal holiday sales and uses.

    c. Seasonal farmers markets.

2. Commercial offices and financial institutions:

    a. Real-estate permanent office, banks and credit unions, accountants, insurance, employment agencies, consulting firms, manufacturer representatives, newspapers, secretarial services, associations and other similar office uses and activities.

b. Building maintenance and services.

c. Business and professional offices and buildings.

d. Convention and meeting facilities.

3. Personal services:

a. Barbers, hair stylists, beauticians, manicurists/pedicurists, spas, salons, tailors, massage establishments, and similar type uses.

b. Wedding chapels and travel agencies.

c. Childcare of any number of children.

d. Laundromats, personal dry cleaning, and laundry services.

4. Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, timeshares, and vacation rentals.

5. Tourist and visitor services:

a. Eating and drinking establishments such as restaurants, cafes, drive-in diners, fast-food, coffee shops and coffee houses, soda-fountains, saloons and taverns, and micro-breweries with on-site and off-site sales.

b. Entertainment and casual education services such as docents, guided tours on foot, gold panning, and museums.

c. Equestrian facilities and uses including riding arenas, stables, horse and pony rides, and carriage and stagecoach rides.

d. Theaters.

6. Recreation. Bowling lanes, billiard parlors and pool halls, arcades, gaming (when incidental to a primary use and limited to no more than 15 slot and/or video machines), golf driving ranges, miniature golf, country clubs, health clubs and personal fitness gyms, swimming pools and saunas, tennis courts, permanent indoor and seasonal outdoor roller and ice skating rinks and facilities, seasonal or temporary outdoor theatres, and other similar recreational uses and activities.

7. Civic uses:

a. Public facilities and offices for fire, emergency services, and sheriff.

b. Helipads and heliports for use only by medical evacuation transport services.

c. Crisis care use uses and facilities, permanent.

d. Libraries and cultural services, governmental offices, post offices, community centers, and courts of law.

e. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential accommodations.

f. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

g. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.

h. Indoor and outdoor veterinarian services and shelters for large and small animals.

8. General services:

a. Catering, equipment and appliance repair, gun repair, general contractors offices, heavy and light equipment rental, feed and tack stores, manufactured home sales and service, pawn brokers, pet sales and grooming, print shops, upholstery shops, video rentals, and other similar general services uses and activities.

b. Uses involving indoor archery and indoor discharge of firearms.

9. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

10. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

11. Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots and/or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.

12. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

13. Recreational vehicle (RV) parks.

14. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.

15. Open-air markets, flea-markets, farmers markets, and the display, sale, barter, or trade of items associated with a business outside of a permanent building.

16. Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.

17. Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.

18. Signs as regulated by chapter 17.84 Signs and billboards.

19. Automobile paint shops and body repair shops.

20. Accessory use, buildings and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and in conformance with section 17.12.048.

21. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

B. Light industrial uses including the following:

1. Limited indoor manufacturing and assembly involving the production process that uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts.

2. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.

3. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.

4. Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, monument works, and similar uses.

5. Outdoor storage and maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.

6. Manufactured home and modular home sales lots.

7. Propane sales and storage.

8. Firewood sales and storage.

9. Temporary real-estate tract offices not located within a permanent structure.

10. Laboratories and testing services. The use of live animals in laboratory, testing, and experimentation is prohibited.

11. Building material manufacturing.

12. Breweries, distilleries, wineries.

13. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.

14. Laundromats and personal dry cleaning.

15. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.

16. Truck stops.

17. Solid waste recycling collection center.

18. Solid waste recycling center.

19. Brick, tile or terra cotta products manufacturing.

20. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.

21. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.

22. Watchman's dwelling, whether permanent or temporary.

23. Outdoor storage or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.

24. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

C. Heavy industrial uses including the following:

1. Manufacturing and assembly involving the production process which uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts and manufacturing operations involving primary production of commodity of raw materials, except those listed in section 17.39.030 as requiring a special use permit.

2. Storage and distribution of paints, shellac, turpentine, varnishes, and other similar chemicals within a warehouse facility.

3. Storage and distribution of liquid petroleum products within a warehouse facility.

4. Manufacturing of paints, shellac, turpentine, varnishes, and other such chemicals. Manufacturing, reclaiming, refining, storage, and distribution of cyanide, hazardous materials, and liquid petroleum products are prohibited.

5. Paper manufacturing.

6. Bottling plants.

7. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

17.39.030 Uses Subject to Special Use Permit

Unless stated otherwise, the following uses may be permitted subject to securing a special use permit pursuant to chapter 17.03 Administrative provisions.

1. Fortune tellers, astrology parlors, clairvoyance and palmistry. Additionally, uses under this subsection must comply with the regulations under Title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and

300 feet from any E, R, or SPR zone.

2. Permanent outdoor skateboard parks and related facilities.

3. Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.

4. Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.

5. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.

6. Education facilities that include student residential and boarding accommodations.

7. Permanent outdoor theatres.

8. Billboards as regulated by chapter 17.68 Signs and billboards.

9. Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.

10. Healthcare facilities including hospital services, medical services, urgent care, clinics, convalescent services, civic convalescent and group care service, continuum of care facilities for seniors, and group care services.

11. Tattoo, permanent cosmetics, and invasive body piercing facilities. These uses are only allowed within the boundaries of the Tahoe-Reno Industrial Center which is zoned I-2 Heavy Industrial, IC Industrial-Commercial, or C Commercial. They are prohibited within 1,500 feet of a public or private school or religious institution.

12. Retail establishments featuring the display, lease, or rental of "adult material" books, merchandise, periodicals, video tapes, video disks including DVDs and other recorded video devices, computer disks, instruments, devices or paraphernalia "adult" material. The merchandise shall only be available for sale or lease for private use by the purchaser or lessee off the premises of the business.

13. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet from a CR, E, R, or SPR zone.

14. Milling and processing related to mining and extraction.

15. Natural resources including river and waterway restoration, wetland creation, water restoration and recycling.

16. The keeping of 5 or more dogs or 3 or more potbelly pigs more than 12 weeks of age. A minimum of 10 acres is required.

17. Commercial kennel. A minimum of 10 acres is required.

18. Other uses similar to the above that are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.

17.39.040 Height and Width of Buildings and Structures

A building, manufactured building, or structure may not exceed a height of ten stories or 120 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys and smoke-stacks, grain silos, water towers, flagpoles, and commercial and amateur wireless communication towers and antennas. Wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

17.39.050 Minimum Parcel Area

Parcel area requirements shall be as follows: (A) commercial uses may be located on a parcel of no less than 10,000 square-feet; (B) light-industrial uses may be located on a parcel no less than one-half acre; and (C) heavy-industrial uses may be located on a parcel no less than 3 acres. The minimum area requirement for uses requiring a special use permit shall be determined by the special use permit, except that the area shall be no less than 10,000 square-feet.

17.39.060 Loading Area

Loading area must have adequate room for vehicular circulation and staging. All truck parking and docking area must be designed so that right-of-ways and travelled ways are not adversely impacted.

17.39.070 Setback Requirements

Setback requirements shall be as follows: (A) heavy-industrial uses may be located no closer than 50 feet from any property line; (B) light-industrial uses may be located no closer than 20 feet from any property line; and (C) commercial uses shall have a minimum 10 foot rear and side setback and a 20 foot front setback. Uses requiring a special use permit shall have setback distances established by the granted special use permit, except that the minimum allowable setback distances shall be no less than 10 feet from any property line.

Exhibit B: Application No. 2014-020 (Zone Text Amendment)
The following application includes a request for both a zone text and zone map amendments. For zone map amendment applicability, refer to Application and Staff Report No. 2014-021.

Storey County Planning Department

26 South "B" Street, P.O. Box 176, Virginia City, NV 89440
Phone: (775) 847-1144 **Fax:** (775) 847-0949
planning@storeycounty.org

Development Application

Submit this completed application and all attachments along with the application fee (see page two for type of application and fees) at least 30 days prior to the meeting you wish to have your request scheduled. The application will not be accepted unless complete, including attachments (applicant will be notified within 15 days if application is not acceptable and what is still required). The application fee is non-refundable. Please make checks payable to Storey County Planning Development.

Project Number: _____

Property Owner: Tahoe-Reno Industrial Center, LLC
All land owners must be listed on this application. Type or print legibly in black or blue ink.

Mailing Address: c/o Robert M. Sader, 8600 Technology Way, Suite 101

City: Reno State: NV Zip: 89521

Telephone (Home) ( ) N/A Business (775) 329-8310

Applicant: SAME
All applicants must be listed on this application.

Mailing Address: SAME

City: _____ State: _____ Zip: _____

Telephone (Home) ( ) _____ Business ( ) _____

☐ Gold Hill ☐ Virginia City ☐ VC Highlands (1 acre) ☐ Highland Ranches (10 acres) ☐ Virginia Ranches (40 acres)

☐ Mark Twain ☐ Hafed ☐ Lockwood ☐ Painted Rock ☒ TRI ☐ Other _____

Project Address: Waltham Way and I-80

Assessor's Parcel Numbers (APN): 004-161-98 and 99; 004-162-01 and 02; 005-121-01, 02, 03, 04, and 05

Lot: N/A Block: N/A Acreage: 319.852

1 of 8

Application Type	Application Fee	Application Type	Application Fee
☐ Abandonment	$200.00	☐ Amended Map	n/a
☐ Condition Amendment	n/a	☐ Boundary Line Adjustment	$250.00 + 25.00 per lot
☐ Development Agreement (Requires a Special Use Permit)	$1,000.00	☐ Extension of Time Request (One Year Extension Only)	50% of Original Fee
☐ Land Division Map (40 acre minimum)	$500.00 + $50.00 per lot	☐ Lot Consolidation	n/a
☐ Master Plan Map Amendment	$2,900.00	☒ Master Plan Text Amendment	$800.00
☐ Natural Resources Exploration and Registration	$65.00 per hour	☐ Street Name Request	n/a
☐ Parcel Map – Record of Survey	$250.00 + 25.00 per lot	☐ Parcel Map Final	n/a
☐ Planned Unit Development (PUD) - Tentative	$500.00 + 1.00 per lot	☐ Planned Unit Development - Final	$200.00 + 25.00 per lot
☐ *Special Use Permit – Minor	$250.00	☐ *Special Use Permit - Routine	$450.00
☐ *Special Use Permit – Major	$750.00	☐ *Special Use Permit - Major Industrial	$2,500.00
☐ Subdivision Map - Tentative	$500.00 + 1.00 per lot	☐ Subdivision Map - Final	$200.00 + 25.00 per lot
☐ Variance - Administrative	n/a	☐ Variance	$100.00
☐ Wireless Communication Facility		☐ Wireless Communication Facility, Modification	n/a
☒ Zoning Map Change	$1,000.00	☒ Zoning Text Change	n/a

Note: Additional fees to cover costs accrue by the county in association with the application, including staff time and consultation with outside legal and professional council may be charged to the applicant. No additional fees will be charged without expressed written permission by the applicant.

RMS **Applicants Initials**

*If you are applying for a Special Use Permit, please refer also to the Storey County Special Use Permit Definitions List when determining a minor, major, routine or major industrial permit.

Detail Description/Justification of Project
Attached additional pages as necessary

SEE ATTACHED

STOREY COUNTY DEVELOPMENT APPLICATOIN
DETAIL DESCRIPTION/JUSTIFICATION OF PROJECT

INTRODUCTION

This application requests an amendment to the Storey County Master Plan text, a zoning map change, and zoning text change for real property (the "Property") owned by Tahoe-Reno Industrial Center, LLC ("TRI") which was formerly in Washoe County but now has been moved by a boundary line adjustment to Storey County. The Property came to Storey County without master plan or zoning designations. The legal description of the Property is attached to this application, including a map of the parcels.

There are nine (9) parcels subject to this application. Their location can generally be described as south of I-80, north of Truckee River, west of Tracy Power Plant and east of Mustang.

BACKGROUND

The 2013 Nevada State Legislature enacted Senate Bill 272, which authorized a boundary line adjustment between Washoe County and Storey County under Sections 1.5 and 3(3) of that act by resolutions approved by each county's board of commissioners. On June 17, 2014 the Board of Commissioners of Storey County passed Resolution 14-403 approving the adjustment. On the same date the Board of County Commissioners of Washoe County approved a resolution on the same adjustment.

The result of these actions was to transfer eighteen (18) parcels from Washoe County to Storey County. Nine (9) of those parcels are owned by TRI and are subject to this application.

TRI is the master developer of the Tahoe-Reno Industrial Center ("Center"). The current northwestern boundary of the Center is separated from the Property by the Truckee River. It is a logical extension of the Center for TRI to develop a portion of the Property as a part of the Center.

The basic entitlement for the Center is the Development Agreement dated February 1, 2000 between TRI and Storey County. The Center is provided water and sewer service by TRI General Improvement District ("TRIGID"). Applications to annex the Property to the Development Agreement are being made concurrently with this application. An application to expand the service territory of TRIGID will be made to the Trustees upon approval of the Development Agreement annexation.

The zoning for the Center is I-2 Heavy Industrial (1999 Storey County Zoning Code edition), which allows light industrial zoning uses and also allows commercial zoning uses on 10% of the land. This application seeks to add a portion of the Property

STOREY COUNTY DEVELOPMENT APPLICATOIN
DETAIL DESCRIPTION/JUSTIFICATION OF PROJECT

INTRODUCTION

This application requests an amendment to the Storey County Master Plan text, a zoning map change, and zoning text change for real property (the "Property") owned by Tahoe-Reno Industrial Center, LLC ("TRI") which was formerly in Washoe County but now has been moved by a boundary line adjustment to Storey County. The Property came to Storey County without master plan or zoning designations. The legal description of the Property is attached to this application, including a map of the parcels.

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Professional Consultant/Representative(s)

Name: Robert M. Sader
Address: 8600 Technology Way, Suite 101
City: Reno State: Nevada Zip: 89521
Phone: (775) 329-8310 Email: rmsader@robertmsaderltd.com Cell: N/A

Applicant's Affidavit:

I, N/A (Printed name), being duly sworn, depose and say that I am the applicant of the described project and/or request, and all the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

Signature of Applicant _____ Date _____

State of Nevada,
County of Storey

Signed and sworn to before me on _____ by,

_____.

Notary's Signature

My Commission Expires

Property Owner's Affidavit:

I, Tahoe-Reno Industrial, LLC (Printed name), being duly sworn, depose and say that I am an owner* in fee of the described property involved in this application, that I have knowledge of, and agree to, the filling of this application, and that the statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Storey County Planning Department Staff.

Robert M. Sader Date 10/6/14

Signature of Applicant
Robert M. Sader, Legal Counsel

State of Nevada,
County of ~~Storey~~ Washoe

Signed and sworn to before me on Oct 6, 2014 by,

Robert M. Sader.

Tina Ford

Notary's Signature

June 8, 2018

My Commission Expires

TINA FORD
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 02-76393-2
MY APPT. EXPIRES JUNE 8, 2018

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

☑	Submittal Requirements / Application Type	Development Application	Detailed Description/Justification	Paid Tax Receipt	Plot Plan	Reduced Map (11 x 17)	Original Map Mylar	Map & Data in CAD Format on Disk	Vicinity Map	Floor Plan	Legal Description - Deed	Title Report	Drainage Report	Soils Report	Traffic Report	Water Rights	Reclamation Plan	Additional Information – Check with Planning Department
☐	Abandonment	X	X	X	X	X			X		X							X
☐	Amended Map	X	X		X	X			X		X							X
☐	Condition Amendment	X	X						X									X
☐	Boundary Line Adjustment	X	X	X	X	X			X		X	X						X
☐	Development Agreement (Requires Special Use Permit)	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X
☐	Extension of Time Request (One Year Extension Only)	X	X	X					X									X
☐	Land Division Map (40 acre minimum	X	X	X	X	X			X		X	X						X
☐	Lot Consolidation*	X	X	X	X				X									X
☐	Master Plan Map Amendment	X	X		X	X			X									X
☐	Master Plan Text Amendment	X	X															X
☐	Natural Resources Exploration and Registration Review	X	X	X	X	X			X									X
☐	Parcel Map – Record of Survey																	X
☐	Parcel Map	X	X	X	X	X			X		X					X		X
☐	Planned Unit Development, Tentative	X	X	X	X	X		X	X		X	X	X	X	X	X		X
☐	Planned Unit Development, Final	X	X	X	X	X		X	X									X

*Administrative lot consolidation procedure

Note: Additional information and materials may be required with the application.

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

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☐	Special Use Permit - Minor	X	X	X	X	X			X									X
☐	Special Use Permit - Routine	X	X	X	X	X			X									X
☐	Special Use Permit – Major	X	X	X	X	X			X									X
☐	Special Use Permit – Major Industrial	X	X	X	X	X			X									X
☐	Street Name Request	X	X		X				X									X
☐	Subdivision Map - Tentative	X	X	X	X	X			X		X	X	X	X	X	X		X
☐	Subdivision Map - Final	X	X	X	X	X	X	X			X							X
☐	Variance - Administrative	X	X						X									X
☐	Variance	X	X	X					X									X
☐	Wireless Communication Facility	X	X	X	X	X			X		X							X
☐	Wireless Communication Facility, Modification	X	X	X	X	X			X		X							X
☐	Zoning Map Change	X	X		X	X	X		X		X							X
☐	Zoning Text Change	X	X		X	X												X
☐	Other	X	X	X	X	X												X

Note: Additional information and materials may be required with the application.

DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS GUIDE

1. Development Application – You can get an application from the Planning Department at the Storey County Courthouse or online at StoreyCounty.org.

2. Detailed Description/Justification – The description of your project and the reason for the project. Be as detailed as possible and submit any information to help explain your project (photos, maps, etc.).

3. Paid Tax Receipt – This is a receipt showing your property taxes are current or paid in full. A copy can be obtained from the Clerk/Treasurer's office located on the 2nd floor in the Storey County Courthouse.

4. Plot Plan – A diagram showing the location of all buildings, well and septic (if any). This can be obtained from the Building Department or Assessor's office or neatly hand drawn by the applicant.

5. Reduced Map (11 x 17) – Applications with large maps must supply one that can be scanned in for use in reports.

6. Original Map Mylar – This map is done by a professional surveyor.

7. Map & Data in CAD format on Disk – This map is done by a professional surveyor.

8. Vicinity Map – This map shows surrounding parcels to application parcel. A copy can be obtained from the assessor's office located on the 1st floor in the Storey County Courthouse.

9. Floor Plan – These are building plans for a house (subdivision) and done by a builder.

10. Legal Description – Deed – Done by a professional surveyor.

11. Title Report – Done by a professional company.

12. Drainage Report – Done by a professional company.

13. Soils Report – Done by a professional company.

14. Traffic Report – Done by a professional company.

15. Water Rights – You can obtain this from State Water Department.

16. Reclamation Plan – Done by a professional company.

(Proposed text amendment attached to application is located in Exhibit A above.)

Ordinance No. 15-269

Summary

An ordinance amending Storey County Code Title 17 zoning text (Zoning Ordinance) by adding Chapter 17.39 IC Industrial-Commercial Zone, and other properly related matters.

Title

An ordinance amending Storey County Code Title 17 zoning text (Zoning Ordinance) by adding Chapter 17.39 IC Industrial-Commercial Zone, and other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: Title 17 is amended by adding text as follows:

Chapter 17.39

IC Industrial-Commercial Zone

Sections:

17.39.010 Applicability.
17.39.015 Purpose and Intent
17.39.020 Allowed Uses
17.39.030 Uses Subject to Special Use Permit
17.39.040 Height and Width of Buildings and Structure
17.39.050 Minimum Parcel Area
17.39.070 Loading Area
17.39.080 Setback Requirements

17.39.010 Applicability

The provisions of this chapter apply to the IC Industrial-Commercial Zone. Uses in the C Commercial Zone are regulated by chapter 17.28 C Commercial Zone and uses in the CR Commercial-Residential zone are regulated by chapter 17.30 Commercial-Residential zone.

17.39.015 Purpose and Intent

The purpose of the IC Industrial-Commercial zone is to provide areas with the county where certain industrial and commercial uses and activities may be established and maintained together to promote efficiency, ensure compatibility, and provide for mixed non-residential uses. It facilitates a heavy commercial and light industrial mixed-use environment that may be well-suited near principal traffic arterials, such as the Interstate 80 corridor, and industrial development with which the allowed uses are compatible. It is not intended for residential areas or general neighborhood commercial areas, such as Gold Hill, Virginia City,

Lockwood, or other such residential communities where C Commercial or CR Commercial Residential zoning may be more appropriate.

17.39.020 Allowed Uses
The commercial, light industrial, and heavy industrial uses listed in this section are allowed in the IC Industrial-Commercial Zone.

A. Commercial uses including:

1. **Retail sales and shopping centers including:**

    a. **General stores, shopping centers, convenience stores, principal grocery stores, neighborhood stores and shopping centers, regional stores and shopping centers, and super regional stores and shopping centers.**

    b. **Seasonal holiday sales and uses.**

    c. **Seasonal farmers markets.**

2. **Commercial offices and financial institutions:**

    a. **Real-estate permanent office, banks and credit unions, accountants, insurance, employment agencies, consulting firms, manufacturer representatives, newspapers, secretarial services, associations and other similar office uses and activities.**

    b. **Building maintenance and services.**

    c. **Business and professional offices and buildings.**

    d. **Convention and meeting facilities.**

3. **Personal services:**

    a. **Barbers, hair stylists, beauticians, manicurists/pedicurists, spas, salons, tailors, massage establishments, and similar type uses.**

    b. **Wedding chapels and travel agencies.**

    c. **Childcare of any number of children.**

    d. **Laundromats, personal dry cleaning, and laundry services.**

4. **Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, timeshares, and vacation rentals.**

5. **Tourist and visitor services:**

    a. **Eating and drinking establishments such as restaurants, cafes, drive-in diners, fast-food, coffee shops and coffee houses, soda-fountains,**

saloons and taverns, and micro-breweries with on-site and off-site sales.

b. Entertainment and casual education services such as docents, guided tours on foot, gold panning, and museums.

c. Equestrian facilities and uses including riding arenas, stables, horse and pony rides, and carriage and stagecoach rides.

d. Theaters.

6. Recreation. Bowling lanes, billiard parlors and pool halls, arcades, gaming (when incidental to a primary use and limited to no more than 15 slot and/or video machines), golf driving ranges, miniature golf, country clubs, health clubs and personal fitness gyms, swimming pools and saunas, tennis courts, permanent indoor and seasonal outdoor roller and ice skating rinks and facilities, seasonal or temporary outdoor theatres, and other similar recreational uses and activities.

7. Civic uses:

a. Public facilities and offices for fire, emergency services, and sheriff.

b. Helipads and heliports for use only by medical evacuation transport services.

c. Crisis care use uses and facilities, permanent.

d. Libraries and cultural services, governmental offices, post offices, community centers, and courts of law.

e. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential accommodations.

f. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

g. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.

h. Indoor and outdoor veterinarian services and shelters for large and small animals.

8. General services:

a. Catering, equipment and appliance repair, gun repair, general contractors offices, heavy and light equipment rental, feed and tack stores, manufactured home sales and service, pawn brokers, pet sales and grooming, print shops, upholstery shops, video rentals, and other similar general services uses and activities.

b. Uses involving indoor archery and indoor discharge of firearms.

9. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

10. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

11. Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots and/or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.

12. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

13. Recreational vehicle (RV) parks.

14. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.

15. Open-air markets, flea-markets, farmers markets, and the display, sale, barter, or trade of items associated with a business outside of a permanent building.

16. Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.

17. Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.

18. Signs as regulated by chapter 17.84 Signs and billboards.

19. Automobile paint shops and body repair shops.

20. Accessory use, buildings and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and in conformance with section 17.12.048.

21. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

B. Light industrial uses including the following:

1. Limited indoor manufacturing and assembly involving the production process that uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts.

2. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.

3. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.

4. Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, monument works, and similar uses.

5. Outdoor storage and maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.

6. Manufactured home and modular home sales lots.

7. Propane sales and storage.

8. Firewood sales and storage.

9. Temporary real-estate tract offices not located within a permanent structure.

10. Laboratories and testing services. The use of live animals in laboratory, testing, and experimentation is prohibited.

11. Building material manufacturing.

12. Breweries, distilleries, wineries.

13. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.

14. Laundromats and personal dry cleaning.

15. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.

16. Truck stops.

17. Solid waste recycling collection center.

18. Solid waste recycling center.

19. Brick, tile or terra cotta products manufacturing.

20. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.

21. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.

22. Watchman's dwelling, whether permanent or temporary.

23. Outdoor storage or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.

24. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

C. Heavy industrial uses including the following:

1. Manufacturing and assembly involving the production process which uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts and manufacturing operations involving primary production of commodity of raw materials, except those listed in section 17.39.030 as requiring a special use permit.

2. Storage and distribution of paints, shellac, turpentine, varnishes, and other similar chemicals within a warehouse facility.

3. Storage and distribution of petroleum and liquid petroleum products within a warehouse facility.

4. Manufacturing of paints, shellac, turpentine, varnishes, and other such chemicals. Manufacturing, reclaiming, refining, storage, and distribution of cyanide, hazardous materials, and liquid petroleum products are prohibited.

5. Paper manufacturing.

6. Bottling plants.

7. Other uses similar to the above which are determined by the board to be consistent with the uses permitted within the zone.

17.39.030 Uses Subject to Special Use Permit

Unless stated otherwise, the following uses may be permitted subject to securing a special use permit pursuant to chapter 17.03 Administrative provisions.

1. **Fortune tellers, astrology parlors, clairvoyance and palmistry. Additionally, uses under this subsection must comply with the regulations under Title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and 300 feet from any E, R, or SPR zone.**
2. **Permanent outdoor skateboard parks and related facilities.**
3. **Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.**
4. **Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.**
5. **Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.**
6. **Education facilities that include student residential and boarding accommodations.**
7. **Permanent outdoor theatres.**
8. **Billboards as regulated by chapter 17.68 Signs and billboards.**
9. **Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.**
10. **Healthcare facilities including hospital services, medical services, urgent care, clinics, convalescent services, civic convalescent and group care service, continuum of care facilities for seniors, and group care services.**
11. **Tattoo, permanent cosmetics, and invasive body piercing facilities. These uses are only allowed within the boundaries of the Tahoe-Reno Industrial Center which is zoned I-2 Heavy Industrial, IC Industrial-Commercial, or C Commercial. They are prohibited within 1,500 feet of a public or private school or religious institution.**
12. **Retail establishments featuring the display, lease, or rental of "adult material" books, merchandise, periodicals, video tapes, video disks including DVDs and other recorded video devices, computer disks, instruments, devices or paraphernalia "adult" material. The merchandise shall only be available for sale or lease for private use by the purchaser or lessee off the premises of the business.**
13. **Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet from a CR, E, R, or SPR zone.**
14. **Milling and processing related to mining and extraction.**

15. Natural resources including river and waterway restoration, wetland creation, water restoration and recycling.
16. The keeping of 7 or more dogs or potbelly pigs more than 12 weeks of age. A minimum of 10 acres is required.
17. Commercial kennel. A minimum of 10 acres is required.
18. Other uses similar to the above that are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.

17.39.040 Height and Width of Buildings and Structures

A building, manufactured building, or structure may not exceed a height of ten stories or 120 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys and smoke-stacks, grain silos, water towers, flagpoles, and commercial and amateur wireless communication towers and antennas. Wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

17.39.050 Minimum Parcel Area

Parcel area requirements shall be as follows: (A) commercial uses may be located on a parcel of no less than 10,000 square-feet; (B) light-industrial uses may be located on a parcel no less than one-half acre; and (C) heavy-industrial uses may be located on a parcel no less than 3 acres. The minimum area requirement for uses requiring a special use permit shall be determined by the special use permit, except that the area shall be no less than 10,000 square-feet.

17.39.060 Loading Area

Loading area must have adequate room for vehicular circulation and staging. All truck parking and docking area must be designed so that right-of-ways and travelled ways are not adversely impacted.

17.39.070 Setback Requirements

Setback requirements shall be as follows: (A) heavy-industrial uses may be located no closer than 50 feet from any property line; (B) light-industrial uses may be located no closer than 20 feet from any property line; and (C) commercial uses shall have a minimum 10 foot rear and side setback and a 20 foot front setback. Uses requiring a special use permit shall have setback distances established by the granted special use permit, except that the minimum allowable setback distances shall be no less than 10 feet from any property line.

Proposed on _____, 2015.

by Commissioner _____

Passed on _____, 2015.

Vote: Ayes Commissioners

_____

_____

_____

Nays Commissioners _____

_____

Absent Commissioners _____

_____

Marshall McBride, Chair

Storey County Board of County Commissioners

Attest:

_____
Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____.

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 09/01/15 **Estimate of time required:** 20 min.

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

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1. **Title: Discussion /Possible Action: FIRST READING Ordinance No. 15-268 (Zone Text Amendments).** An ordinance amending Storey County Code Title 17 Zoning to update the procedures and requirements of the title by amending the following chapters: Ordinance title page; Chapter 17.03 Administrative Provisions; 17.06 Nonconforming Uses; 17.08 Zones Generally; 17.10 Definitions; Chapter 17.12 General Provisions; 17.15 P Public Zone; 17.16 R-1 Single-Family Residential Zone; 17.20 R-2 Multi-Family Residential Zone; 17.24 A Agriculture Zone; 17.28 C Commercial Zone; 17.30 C-R Commercial-Residential Zone; 17.32 F Forestry Zone; 17.34 I-1 Light Industrial Zone; 17.35 I-2 Heavy Industrial Zone; 17.36 I-3 Heavy Industrial Zone; 17.38 I-S Special Industrial Zone; 17.40 E Estate Zone; 17.44 SPR Special Planning Review Zone; 17.48 Historic Overlay District; 17.56 PUD Planned Unit Development; 17.76 N-R Natural Resources Zone; 17.84 Signs and Billboards; 17.92 Mineral Exploration Mining and Extraction; and other properly related matters. Public participation is encouraged. Copies of the text amendments may be obtained from the Planning Department website at www.storeycounty.org/521/updates, at 775.847.1144 or from planning@storeycounty.org.

2. **Recommended motion:** Based on the recommendation of the planning commission and county staff, and in conformance with the applicable NRS and Storey County Code 17.03 Administrative Provisions, I (Commissioner) motion to approve the text amendments to Storey County Code Title 17 (Zoning Ordinance).

3. **Prepared by:** Austin Osborne

   Department: Planning **Telephone:** 847-1144

4. **Staff summary:** In conformance with NRS 278 and Storey County Code 17.03 Administrative Provisions, the Storey County Planning Commission and county staff recommend approval of modifications to Storey County Code Title 17 (Zoning Ordinance) as shown in the attached correspondence.

5. **Supporting materials:** Enclosure: Ordinance No. 15-268 (Storey County Zoning Ordinance as to be amended).

6. **Fiscal impact:** None on local government.

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   ____ Department Head Department Name:

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No. 17

Enclosures: Ordinance No. 15-268

Ordinance No. 15-268

Summary

An ordinance amending Storey County Code Title 17 Zoning to update the procedures and requirements of the title by amending the following chapters: Ordinance title page; Chapter 17.03 Administrative Provisions; 17.06 Nonconforming Uses; 17.08 Zones Generally; 17.10 Definitions; Chapter 17.12 General Provisions; 17.15 P Public Zone; 17.16 R-1 Single-Family Residential Zone; 17.20 R-2 Multi-Family Residential Zone; 17.24 A Agriculture Zone; 17.28 C Commercial Zone; 17.30 C-R Commercial-Residential Zone; 17.32 F Forestry Zone; 17.34 I-1 Light Industrial Zone; 17.35 I-2 Heavy Industrial Zone; 17.36 I-3 Heavy Industrial Zone; 17.38 I-S Special Industrial Zone; 17.40 E Estate Zone; 17.44 SPR Special Planning Review Zone; 17.48 Historic Overlay District; 17.56 PUD Planned Unit Development; 17.76 N-R Natural Resources Zone; 17.84 Signs and Billboards; 17.92 Mineral Exploration Mining and Extraction; and other properly related matters.

Title

An ordinance amending Storey County Code Title 17 Zoning to update the procedures and requirements of the title by amending the following chapters: Ordinance title page; Chapter 17.03 Administrative Provisions; 17.06 Nonconforming Uses; 17.08 Zones Generally; 17.10 Definitions; Chapter 17.12 General Provisions; 17.15 P Public Zone; 17.16 R-1 Single-Family Residential Zone; 17.20 R-2 Multi-Family Residential Zone; 17.24 A Agriculture Zone; 17.28 C Commercial Zone; 17.30 C-R Commercial-Residential Zone; 17.32 F Forestry Zone; 17.34 I-1 Light Industrial Zone; 17.35 I-2 Heavy Industrial Zone; 17.36 I-3 Heavy Industrial Zone; 17.38 I-S Special Industrial Zone; 17.40 E Estate Zone; 17.44 SPR Special Planning Review Zone; 17.48 Historic Overlay District; 17.56 PUD Planned Unit Development; 17.76 N-R Natural Resources Zone; 17.84 Signs and Billboards; 17.92 Mineral Exploration Mining and Extraction; and other properly related matters.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

SECTION I: Title 17 is amended as follows (enclosed draft chapters):

Storey County Code Title 17

Zoning Ordinance

~~2014~~ **2015**

Chapter 17.02

Title, Purpose, and Jurisdiction

Sections:

17.02.010 Title
17.02.020 Purpose
17.02.030 Jurisdiction
17.02.040 Interpretation and conflict
17.02.050 Conformance with the master plan

17.02.010 Title

This title is known as and may be cited as the "Zoning Ordinance of Storey County, Nevada."

17.02.020 Purpose

This land use zoning title for the county of Storey is adopted and established to serve the public health, safety, comfort, convenience and general welfare; to provide the economic and social advantages resulting from an orderly planned use of economic, natural and community resources; to encourage, guide and provide for the future growth and development of the county; and to implement the goals, objectives, policies, and proposals of the master plan by:

A. Giving effect to the policies and objectives of the master plan.
B. Dividing the county into regulatory zones that are in accordance with the master plan and serve to regulate the location and use of buildings, structures, and land for trade, industry, tourism, residences, natural and cultural resources, and other uses.
C. Providing for the protection and enhancement of property rights, property values, quality of life, historic and cultural resources, and natural resources.
D. Providing for a vibrant, stable, and diversified economy in the county.
E. Protecting the tax base by providing for cost-effective development within the county.
F. Concentrating residential development to areas where adequate water, sewerage facilities, schools, roads, and other public services can be provided, and limiting residential development in areas where these resources and facilities are not and should not be provided.
G. Lessening the danger and congestion of traffic on the roads and highways, limiting excessive number of intersections, driveways, and other friction points, minimizing other hazards, and insuring the continued usefulness of all elements of the existing highway system for their planned function.
H. Protecting land owners from adverse impacts of adjoining developments.

17.02.030 Jurisdiction

Storey County's governing body, the board of county commissioners (board), is authorized by NRS 278.250 to divide the county into zoning districts to carry out the purposes of NRS 278.010-278.630, and may regulate and restrict the erection,

construction, alteration, repair or use of buildings, structures or land within its jurisdiction.

17.02.040 Interpretation and Conflict

In their interpretation and application, the provisions of this ordinance are held to be minimum requirements. Wherever the requirements of this title are at variance with the requirements of any other lawfully adopted rules, regulations, restrictions or ordinances, the most restrictive or that imposing the higher standards will govern. This title must be interpreted, whenever the board is called upon to do so, in conformance with the purposes intended by the board to be served by its enactment. The intent of the standards and supporting definitions of this title is to protect both individual property owners and the general public from substantial adverse impacts that may otherwise be the result of a proposed use. To this end, those called upon to interpret this title shall proceed as follows:

A. Determine the public purposes of the standards with respect to which an interpretation is required;
B. Determine the actual impact of the proposed interpretation; and
C. Determine that the proposed interpretation will insure a just balance between the right of the landowner and all others who will be affected by that person's land use proposal.

17.02.050 Conformance with the Master Plan

The board declares and makes the specific finding that this title and the official zoning maps conform to the master plan.

Chapter 17.03

Administrative Provisions

Sections:

17.03.010 Powers of the board and planning commission
17.03.020 Administration of this title
17.03.030 Jurisdiction, interpretation, and application
17.03.040 Enforcement
17.03.050 Applications
17.03.060 Application limitations
17.03.070 Notice provisions
17.03.080 Hearings
17.03.090 Advisory action by the planning commission
17.03.100 Decisions by the board
17.03.110 Amendments and revisions of approvals
17.03.120 Fees and charges
17.03.130 Appeal procedures
17.03.140 Variances
17.03.045 Abatement of public nuisances
17.03.150 Special uses (conditional uses)
17.03.160 Standard conditions of approval - special use permits and variances
17.03.170 Review or revocation of variance or special use permit
17.03.180 Show cause procedures of variance or special use permit
17.03.200 Administrative permits
17.03.210 Master plan
17.03.220 Zone map amendments and zone text amendments
17.03.230 Planned unit developments

17.03.010 Power of the Board and Planning Commission

The board of county commissioners (the board) has the power to make planning and zoning decisions for Storey County and has created the planning commission to advise the board as provided in title 2 of this code and NRS 278 and 278A.

A. The planning commission must perform all duties and functions delegated to a county planning commission by the terms of NRS 278.010 to 278.630, inclusive, and chapter 2.12 (Planning commission).

B. The planning commission is advisory to the board. The planning commission must hear applications on special use permits, variances, and appeals of administrative decisions, changes to the county master plan, zoning districts, amendments to title 18, and all other appropriate subjects and make recommendations to the board.

C. After considering the planning commission's recommendation the board by majority vote may approve, approve with conditions, or deny the application, or return the recommendation to the planning commission for further

consideration.

17.03.020 Administration of this Title

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

17.03.030 Jurisdiction, Interpretation, and Application

The provisions and standards contained in this title are the minimum standards for the allowed or permitted uses, and must not be construed as limiting the legislative discretion of the board to further restrict the allowed or permissive uses or to withhold or revoke permits for uses when the protection of the public health, morals, safety, welfare and protection of surrounding land uses is necessary. Title 17 requirements apply to all properties within the county.

A. Conflict of regulation. When this title imposes a greater restriction upon the use of land, or upon height, bulk, location or use of buildings and structures than is required by existing provisions of law or by private covenant or other restriction, the provisions of this title will prevail. Private covenants or deed restrictions that impose more restrictive conditions than those contained in this title are not superseded by this title or enforced by the county.

B. Rules of interpretation. In interpreting the language of this title, the rules set out in this chapter will be observed unless the interpretation is inconsistent with the expressed language of this title.

C. Text controls. In case of any conflict between the text of this title and any figure or appendix, the text will apply.

D. Computation of time. The time in which an act is to be performed will be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or legal federal or state holiday, the period runs until the next day which is not a Saturday, Sunday, or legal federal or state holiday. The following time-related words will have the meanings ascribed below:

1. "Day" means a calendar day unless otherwise stated.
2. "Week" means 7 calendar days.
3. "Business week" means 5 days starting Monday and ending Friday.
4. "Business day" means 1 or more days beginning on Monday and ending on Friday.
5. "Month" means 1 calendar month.
6. "Year" means a calendar year, unless a fiscal year is indicated.

E. Other clarifications.

1. Tense. Unless clearly indicated to the contrary, words used in the present tense include the future, words used in the plural include the singular, words used in the singular include the plural and words of one gender include the other.
2. Use of certain words. The words "shall," "must," and "will" are always mandatory. The term "may" is discretionary to the subject which it refers. Words and phrases are to 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.

3. Conjunctions. Unless the context clearly indicates the contrary, conjunctions are to be interpreted as follows:
   a. "And" indicates that all connected items or provisions apply; and
   b. "Or" indicates that the connected items or provisions may apply singularly or in any combination.
4. Delegation of authority. Whenever reference is made to the head of a department or to some other county officer or employee, the reference will 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.

17.03.040 Enforcement

It is unlawful for any person, firm or corporation, whether as a principal, agent, employee, or otherwise, to construct, build, convert, alter, erect maintain a building, structure or any use of property, equipment, or operation in violation of a provision of this title. Any violation of this title is a public nuisance and a misdemeanor offense punishable by a fine of not more than one thousand dollars, or by imprisonment in the county jail for a period of not more than six months, or by both fine or imprisonment. The following procedures apply to enforce the provisions of this title:

A. If a violation of this title occurs, the director may deliver to the party in violation 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.
B. The director may also refer notice of the violation to the district attorney who may commence an action to abate, remove and enjoin the violation as a public nuisance or a criminal action in the manner provided by law. A party is guilty of a separate offense for each and every day the violation of this title, or the failure to comply with any order, is committed or otherwise maintained.
C. The conviction and punishment of any person under this section will not relieve the person from the responsibilities of correcting the nuisance.

17.03.045 Abatement of Public Nuisances

A. Upon receipt of a complaint alleging a public nuisance violation of this chapter, the director must determine the validity of the ~~compliant~~ **complaint**. If the director determines the complaint to be valid, the director must personally deliver to the property owner, or send to the property owner by certified mail, return receipt requested, notice of the violation and notice to abate. The notice of violation and notice to abate must inform the owner of the following:
   1. Nature of the violation.
   2. The date the owner must abate the condition. If the public nuisance is not an immediate danger to public health, safety, or welfare or was caused by the criminal activity of another person, the owner has a minimum of 30 days to abate the public nuisance.
   3. That the owner has a right to request a hearing before the director.

4. That should the owner not prevail at the hearing, the owner may appeal to the commission upon filing a notice of appeal with the commission and payment of a filing fee.

B. A property owner who desires a hearing to challenge the violations set forth in the notice of violation must notify the director in writing prior to the date indicated on the notice to abate. The property owner will be afforded an opportunity to appear before the director and, if not satisfied with the results of the hearing, may request an appeal of the decision by filing a notice of administrative appeal with the office of the board along with the filing fee. The notice of appeal must be placed on the next available board's agenda. The board's decision is final.

C. Should the property owner fail to comply with the terms of the notice to abate, fail to request a hearing within the time specified, fail to prevail at any requested hearing, or fail to file an appeal in the time specified, the county may abate the nuisance on the property and may recover the amount expended by the county for labor and materials used to abate the public nuisance. The expense and any civil penalties are a special assessment against the property where the nuisance is located and this special assessment may be collected as allowed by law.

D. The board may by resolution set civil penalties to be imposed for a public nuisance violation.

17.03.050 Applications

A. Application deadline. An application for a variance, a special use permit, a zoning map amendment, a master plan amendment, zoning code amendment, an amendment to this title, or an appeal of an administrative decision must be filed with the director no later than 5:00 p.m. on the Friday of the third week before the planning commission meeting at which the application will be heard. The director may under certain exigent circumstances make a determination to accept an application after the deadline but before that planning commission meeting.

B. Determination of a complete application. Within ~~3~~ **5** working days after receiving an application, the director will determine whether the application is complete. If the director determines that the application is not complete, the director must contact the applicant during that time period verbally or in writing and state the application's deficiencies and describe the additional information required. The director may take no further action on the application unless the deficiencies are remedied. An application may only be scheduled for hearing if the director deems the application complete before the agenda deadline date of the planning commission or board without the written concurrence of the applicant, the application is deemed complete. A determination of completeness will not constitute a determination of compliance with other requirements of this title or federal and state regulations.

C. Fee submittal. The required application fee must be tendered to the ~~community development~~ **planning** department with the submitted application.

D. Processing of an application. The director will review the application and prepare a report for the planning commission and board recommending approval, approval with conditions, denial, or continuance for re-design. The

director will schedule the application for public hearing within the time and in the manner required by this title and state statute. An application for a planned unit development must be preceded by a pre-submittal conference pursuant to section 17.03.230(A).

E. Official filing date. The time for processing and acting on planning commission and board applications as established by NRS or this title will commence on the date that the application is deemed complete. Material modifications of any application by the applicant following the filing of the application will re-establish the time for processing and acting on the application upon the director's determination that the modified application is complete.

17.03.060 Application Limitations

A second or subsequent application substantially similar to an application for a variance, special use permit, zoning map amendment, zoning code amendment or master plan amendment may not be submitted for review within 1 year of the first application's denial by the board with respect to that parcel or any portion of that parcel under the same ownership or if ownership changes 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 exists.

Where the holder of an application for a development approval wishes to file a subsequent application for a project that is substantially different from the first project, the new development application will supersede the previous development application, and the applicant must state on the application that, upon approval of the subsequent application, the first development approval is withdrawn.

17.03.070 Notice Provisions

A. Published notice. Unless as otherwise provided by this title, any application, including a zoning map or text amendment, tentative map, planned unit development, master plan amendment (land use amendment or element text amendment), that requires a public hearing to be held, a notice of the time and place of the hearing must be published in an official newspaper of general circulation in the county at least 10 days before the date for the hearing.

B. Personal notice. Whenever personal notice of a public hearing is required by this title or NRS 278, in addition to the published notice, including an application for a variance, special use permit, zoning map or text amendment, tentative map, planned unit development map, master plan amendment (land use map amendment or element text amendment), appeal of administrative decision or administrative permit, the director will mail notice of the hearing not less than 10 days before the public hearing date to:

1. The applicant;
2. All record property owners, as shown on the latest equalized assessment rolls, within 300 feet of the exterior boundaries of the subject property, to all property owners of land within such area proposed for re-zoning;
3. Each tenant of a mobile home park if that park is located within 300 feet of the property in question, written notice of the time, place and date of such hearing and the general location of the property of the addressee with

reference to the property proposed for change; and

4. At least 30 unique property owners nearest the subject site if there are not 30 unique property owners within 300 feet of the subject site.

C. Notice for zoning map and text amendments. In addition to published and personal notice required above, the notice for a zoning map or text amendment must set forth the time, place and purpose of the hearing and a physical description of or a map detailing the proposed change. It must indicate the existing zoning designation and the proposed zoning designation of the property in question, and must contain a brief summary of the intent of the proposed change. If the proposed amendment involves a change in the boundary of the zoning district that would reduce the density or intensity with which a parcel of land may be used, the notice must include a section that an owner of property may complete and return to the board to indicate his or her approval of or opposition to the proposed amendment.

D. When notice of a hearing is sent, the board or other entity must retain:

1. A copy of the notice;
2. A list of the persons or governmental entities to which the notice was addressed; and
3. A record of the date on which the notice was deposited in the United States mail postage prepaid, or sent by electronic means.

17.03.080 Hearings

A. The board and the planning commission, when holding a hearing on an application for a variance, special use permit, tentative map, zoning map amendment, master plan amendment, zoning code amendment, or master plan element, must review and judge the merits of an application and find that the regulations and standards in this title and state law are met.

B. Any person or persons may appear at a public hearing and submit evidence, either individually or as a representative of an organization. Each person who appears at a public hearing must state his or her full name, and if appearing on behalf of an organization, state the name and mailing address of the organization for the record.

C. The hearing body may exclude testimony or evidence that it finds to be irrelevant, immaterial or unduly repetitious. Any person appearing as a witness may ask relevant questions of other persons appearing as witnesses, but may do so only through the chairman of the body conducting the hearing and at the chairman's discretion.

D. Continuances. The body conducting the hearing may, on its own motion or at the request of any person, for good cause, continue the hearing to a fixed date, time, and place. The applicant must agree to the continuance when the time limit of the application provided by law would otherwise lapse. An applicant has the right to one continuance upon payment of the established fee, and if required, the cost of additional notice. A continuance requested by the applicant suspends the time lines established in NRS and this title. All subsequent continuances may be granted at the discretion of the body conducting the hearing only on good cause shown, and on payment of applicable fees. If the

request for continuance is denied, the hearing will be conducted as scheduled on the posted agenda and the fee for the continuance will be refunded to the applicant. If the hearing is continued to a fixed date within 35 days of the original hearing date, additional notice is not required. For all other continuances, additional notice is required in the manner required for the initial hearing. The county will prepare the notice and the party requesting the continuance must pay the costs.

17.03.090 Advisory Action by the Planning Commission

At the conclusion of the hearing, the planning commission must take action on the application and announce and record its action in the form of a motion. The motion must recite the findings of the planning commission used for its decision and include any reasonably necessary conditions of approval. Notice of the approval, approval with conditions, or a denial must be prepared by the director and sent to the applicant and the board by the agenda cut-off date of the board meeting at which the item will be heard. The decision of the planning commission in approving, approving with conditions, or denying the application is advisory only to the board.

17.03.100 Decision by the Board

The board, when required by this title or NRS to take final action on an application, and after receipt of the report from staff and the recommendation from the planning commission, must consider the application as an action agenda item during a normally scheduled meeting of the board and must make a decision on that item based on the findings required by this title. For an approval, a majority of the board must vote to approve the item. A vote of less than a majority or tie vote is considered a denial. Within 5 working days of the date of the board's decision on an application, written notification of the action taken must be filed with the clerk of the board and mailed to the applicant stating the action taken and including all conditions imposed and the times established for satisfaction of conditions. The board may return an application to the planning commission for further consideration if new information, not presented at the planning commission, is submitted to the board. The decision of the board is final.

17.03.110 Amendments and Revisions of Approvals

A. The director, upon submittal of the applicable form, materials and fee, may approve minor amendments to the terms of an approval. Minor amendments or revisions must be authorized in writing by the director and are subject to appeal pursuant to section 17.03.120. Minor revisions that may be authorized are those that appear necessary in light of technical considerations requested by the applicant or the director and are limited to the following:

1. Requests that involve less than 10 percent of the building area or project site area;
2. Requests for adjustments to a planned unit development pursuant to this subsection must comply with the provisions of chapter 17.56 PUD zone, and section 17.03.230;
3. Requests that involve minor changes in color, material, signage, design, landscape material or parking or driveway orientation; or
4. Requests that involve minor design changes which represent improvements

to previous engineering, site design or building practices, provided the request does not change the character of the project or result in negative impacts to adjoining properties, drainage facilities, irrigation facilities or rights-of-way.

B. For a special use permit, a minor amendment means a modification to one or more of the conditions of the special use permit which: does not substantially change the use allowed by the special use permit; does not cause substantially greater impacts to surrounding properties than that allowed under the existing special use permit; does not increase area of land, increase the height of any structure, or reduce the required setbacks of any structure under the special use permit; and conforms to the minimum required findings and conditions of approval pursuant to this chapter.

C. All other amendments or revisions are considered major revisions. Where the holder of an approved application for a permit wishes to make a major amendment or revision to the approval which is not covered by subsections 1 through 3 above, an application including all required materials and fees must be submitted to the ~~community development~~ **planning** department and forwarded for approval of the final decision-maker in accordance with the procedures established for the original approval.

17.03.120 Fees and Charges

A. Before accepting any application required by this title, fees adopted by the board, including service charges, will be charged, collected and deposited with the ~~community development~~ **planning** department. A fee sheet will be available to the general public at the main desk of the department.

B. No fee is charged to any nonprofit organization or government agency that is the owner of record of the property involved in an application.

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

D. The fee for an extension of the expiration date of the special use permit or variance will be the same amount as the original application fee.

E. Unless a continuance is requested by the planning commission or board with the applicant's concurrence, a continuance of a planning commission agenda item to a later meeting is subject to the following: The applicant will be required to pay any fees and the cost of re-noticing the items as required by this chapter or NRS.

F. No fee or part of fee will be refunded if an application is not approved.

G. All application costs must be paid in U.S. cash, by credit card accepted by the ~~community development~~ **planning** department, or check payable to Storey County ~~Community Development.~~ **Planning**

17.03.130 Appeal Procedure

A. Appeals of staff decisions. The applicant or any aggrieved party may appeal an administrative decision of the director to the board within 10 days of the written decision. The board may affirm, modify, or reverse the decision.

B. Procedure for filing a staff administrative decision appeal.

1. Standing for filing an appeal. The applicant or any aggrieved party, defined

as a person with a legal or equitable interest in the property affected by the final decision or property located within the notice area of the property that is entitled by law to notice, may file an appeal provided that the appellant has participated in the administrative process before filing the appeal.

2. Issues for an appeal. Only issues raised or addressed in the public hearing stage of the administrative process for a project may be raised as a basis for the appeal unless there is substantial new evidence that has become available after the time of the public hearing.
3. Appeal application. All appeal applications must be filed in writing with a letter of appeal to the director.
    a. The letter of appeal and application must be submitted within 10 days of the date of the staff decision for which the appeal is requested.
    b. The appeal letter must include the appellant's name, mailing address, daytime phone number, and must be accompanied by the appropriate fee.
    c. The letter must specify the project or decision for which the appeal is being requested. The letter must indicate which aspects of the decision are being appealed. No other aspect of the appealed decision may be heard.
    d. The letter must provide the necessary facts or other information that support the appellant's contention that the staff erred in its consideration or findings supporting its decision.
    e. The staff may provide the board with a report containing the information used in making the decision
    f. The board must set the appeal for hearing and render its decision on the appeal within 60 days of the submittal of a complete appeal application.
    g. Notice of appeals. Notice of time and place of appeal hearings must meet the requirements of 17.03.070.

17.03.140 Variances

A variance to the provisions of this title may be granted by the board with action by the planning commission where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulations, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the lot or parcel, the strict application of the regulations enacted under this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon the owner of property.

A. Authority. The board with action by the planning commission has the discretionary authority to approve, conditionally approve, continue within allowed time frames, or deny a variance.
B. Application requirements. Any person requesting a variance must file a complete application signed by all owners of record of the subject property. The application must include the information, site plans and other materials determined by the director to be necessary to support the requirements of this section.
C. The applicant for a variance must bear the burden of proof by a preponderance of the evidence to provide facts supporting the proposed variance. Additionally, the applicant must provide adequate information in the application and on the site plan to substantiate the findings required in this section.

D. Investigation. The director will investigate each application to assure that the proposal is consistent with the requirements of this title and make a report to the planning commission and board.

E. Hearing. The planning commission must hold a public hearting on the application and make a recommendation to the board. The board must hold a public hearing no later than 65 days after the acceptance of the complete application. The hearing must meet the requirements of section 17.03.080 (Hearings).

F. Findings. The board's approval, approval with conditions, or denial of a variance must be based on findings that indicate that the proposed use is appropriate in the location for which it is approved. The findings listed in this subsection are the minimum to be cited in an approval; the board may include additional findings in their decision. The board and planning commission must cite findings of fact in the motion for approval, approval with conditions, or denial. At a minimum, the approval must be based on findings that the proposal:

1. That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, 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;
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant; and
3. That the granting of the application will not, under the circumstances of the particular case, 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.

G. Decision. Following the public hearing, the board must decide if there is adequate evidence in the record to support the findings required by this section and must approve, conditionally approve, modify, continue within allowed time frames, or deny the variance request.

H. Request for continuance. The applicant may request a continuance of any application for a variance to a future meeting under section17.03.080 (D).

I. Expiration. Where an approved variance is not developed or exercised within 12 months of the date of approval, unless additional time is granted by the board with action by the planning commission, based upon consideration of the specific circumstances of the project, then without further action, the permit will be null and void and no development activity may be made of the property except on the granting of a new variance.

J. Force majeure. In the event that circumstances beyond the control of the applicant result in a failure to complete variance conditions and construct or commence the project prior to the expiration date, the applicant may request in writing an extension of the expiration date. The director may approve a 1 year extension from the original date of variance expiration with the option of the director to have the planning commission and board review the extension. The board with action by the planning 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 to ensure that the project permitted by the variance does not adversely impact other properties in the area or the public interest.

K. Limitations on Variances. A variance may not be granted that allows a land use prohibited in the zoning district in which it is located or that changes any boundary of the district; nor may any variance be granted that changes the permitted residential density of a zoning district.

17.03.150 Special Use Permit (conditional use)

The board, with action by the planning commission, may approve, approve with conditions, continue within the allowed timeframe, or deny uses expressly listed as "uses subject to permit". Uses in each zone not expressly listed as allowed, permitted, or subject to permit are prohibited unless the board, with action by the planning commission, determines that the proposed use is consistent and similar to the uses listed in the zone. The following requirements apply to the approval of a special use permit:

A. Application requirements. Before a special use permit may be considered for approval, the proposed use must be listed as a use requiring a special use permit in the regulatory zone or must be a similar use as determined by the board with action by the planning commission. For the purpose of accepting an application, the director will determine whether the use is similar to those expressly listed as requiring a special use permit. The similar use must not deviate from the pattern of other conditional uses in the zone.

B. Investigation. The director will investigate each application to assure that the proposal is consistent with the requirements of this title and make a report to the planning commission and board.

C. Hearing. The planning commission must hold a public hearing after acceptance of a complete application, and notice of the hearing is given as required by this chapter and the NRS. The board must hold a public hearing no later than 65 days after the acceptance of the complete application. The hearings must meet the requirements of section 17.03.080 (Hearings).

D. Findings. The approval of a special use permit must be based on findings that indicate that the proposed use is appropriate in the location for which it is approved. The findings listed in this subsection are the minimum to be cited in an approval; the board and planning commission may include additional findings in their decision. The body must cite findings in its motion for approval or findings for their motion for denial. The applicant will bear the burden of proof by a preponderance of the evidence to provide facts supporting the proposed special use permit. At a minimum, the approval must be based on findings that the proposal:

1. Complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.
2. The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on

adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.

3. Will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map, or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.
4. The proposed use in the proposed area will be adequately served by and will impose no undue burden or any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county. Where improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the special use permit applicant must, as part of the application and as a condition of approval of the proposed special use permit, be responsible for establishing ability, willingness, and binding commitment to provide the improvements, facilities, utilities, infrastructure, and services in sufficient time and in a manner consistent with the county master plan, this title, and all plans, programs, maps, and ordinances adopted by the county to guide its growth and development. The approval of the special use permit must be conditioned upon the improvements, facilities, and services being provided and guaranteed by the applicant.

E. Conditions of approval. The board with action by the planning commission may require conditions under which the lot or parcel may be used or the building constructed if the use may 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.

F. Expiration and revocation. Where a use permitted by a special use permit is not started on the property within 24 months from the date of approval, unless additional time is granted by the board with action by the planning commission based upon consideration of the specific circumstances of the project, then the special use permit will be null and void without any further action and the use will not be allowed except by the granting of a new special use permit.

G. Extension and expiration of permits. If circumstances beyond the control of the applicant result in a failure to complete applicable special use permit conditions and construct or commence the use 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 ~~community development~~ **planning** department within 30 days prior to the expiration date. The application must state the reason for the extension request. The board with action by the planning commission may approve a 24 month extension of the special use permit and may approve up to 2 additional extensions for time subject to the consideration of the continued appropriateness of the special use permit. The extended special

use permit may be subject to additional conditions imposed by the board to ensure that the activity permitted by the special use permit does not adversely impact other properties in the area or the public interest. If construction work is involved, the work must actually commence within the stated period and be diligently pursued to completion. A stoppage or lapse of work for a period of 12 months will invalidate the special use permit. When any use of land, building, structure or premises established under the provisions of this chapter has been discontinued for a period of 24 consecutive months, it is unlawful to again use the land or building or premises for the discontinued use unless a subsequent special use permit is authorized and issued.

H. Re-application. No person, including the original applicant, may reapply for a similar special use permit on the same land, building, or structure within a period of 1 year from the date of the final decision by the board of such previous application.

17.03.160 Standard Conditions of Approval - Special Use Permits and Variances

The standard conditions contained in this section are imposed on applications requiring discretionary approval. Additional conditions may be imposed by the board or recommended by the planning commission. The minimum required conditions are as follows:

A. Conformance with plans. All development must be substantially in accordance with the site development plans submitted with the application.

B. Conformance with regulations. All on- and off-site improvements must conform to federal, state, and county regulations and the regulations by any applicable political subdivision of the county.

C. Period to commencement. The use for which the permit or variance is approved must commence within 24 months of the date of final approval. A single, 1 year extension of time must be requested in writing to the ~~community development~~ **planning** department 30 days prior to the permit or variance expiration date. The permit or variance will become null and void if the project applicable to the permit is not initiated within 1 year and no extension granted.

D. Department conditions. The recommended conditions of approval from each county department must be incorporated as conditions to the final permit or variance, provided that the recommended conditions comply with federal, state, and county regulations.

17.03.170 Review or Revocation of Variance or Special Use Permit

The director may refer a variance or a special use permit to the board for a show cause hearing on revocation based on any of the following reasons or occurrences. The procedure for the show cause hearing will be as required in section 17.03.180.

A. 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 which would be a violation of federal or state law or a violation of the county code.

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, 21 days from receipt of said notice.

F. Further use of a revoked variance or special use permit is a violation of this title and will be punishable as provided in this title.

17.03.180 Show Cause Procedures of Variance or Special Use Permit

A. Procedures. The board upon its own motion, or upon the sworn complaint in writing of any person, or upon information presented by the director, must request that the director investigate the conduct of any applicant under this chapter to determine whether grounds for revocation of any variance or special use permit exist. The director will notify the applicant of any investigation prior to any public hearing.

B. Investigation. After an investigation, if the director determines that a ground for revocation of a variance or special use permit exists, the director will issue and serve the applicant with an order to show cause why the variance or special use permit should not be revoked. The order must contain:

1. A statement directing the applicant or applicant's representative to appear before the board 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 will have an opportunity to be heard, present witnesses and respond to any witnesses against him or her;
4. Service on the applicant must 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 certified mail with return receipt to the applicant's address on the variance or special use permit.

C. Hearing for show cause.

1. At the public hearing on the order to show cause, the applicant and the complainant, if there is one, may present testimony, question witnesses, and be represented by attorneys. If the hearing is pursuant to a complaint, the complainant must also be present.
2. After the conclusion of discussion and public testimony, the possible actions that the board may take include taking no action on the permit, revocation, or modification of permit conditions of approval, limited suspension, and continuance with the concurrence of the applicant.

D. Appeal of show cause determination. A show cause decision from the board is final. Any further appeal of the board's decision must be in the court of competent jurisdiction within the time frames established by NRS.

17.03.200 Administrative Permit

A. 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

director may require conditions of approval necessary to eliminate or reduce any adverse effects of a use.

B. Applicability. This chapter authorizes the director to review and render final decisions on zoning matters and development proposals identified within this chapter as requiring an administrative permit pursuant to the provisions of this section.

C. Permit Required. An administrative permit is required in the following cases:

1. A proposed accessory structure pursuant to chapter 17.12 General provisions, with a total size that is more than 50 percent and up to 75 percent of the size of the primary structure.
2. Small operations exploration and mining.
3. Sign permits.

D. Process. Applications for administrative permits may be initiated by the property owner or the property owner's authorized agent. Applications must be filed with the ~~community development~~ **planning** department. A request for an administrative permit must include a site plan which clearly delineates the location and characteristics of the proposed use. No administrative permit will be processed until the director determines the application is complete.

E. Decision. This title delegates certain authority for making decisions relating to various development applications, uses and similar approvals to the director. The director must review all complete applications, make necessary findings and render a decision on the application. The director may refer the application to the planning commission for its review and recommendation to the board prior to rendering a decision on the application.

F. Findings. In approving an administrative permit, the director must make the findings shown in section 17.03.150 (D).

G. Notification and appeal of decision by director. The director must notify the applicant within 10 working days of the decision. The decision of the director may be appealed to the board by the applicant or any aggrieved party pursuant to section 17.03.130 (Appeal procedure).

17.03.210 Master Plan

A. Purpose. The purpose of this section is to provide for the adoption of the county master plan and amendments to the master plan.

B. Administration. The members of the board and the planning commission and county employees, in the performance of their functions, may enter upon any land and make examinations and surveys. The board has power as may be necessary to enable it to fulfill its function and carry out the provisions of this title and NRS 278. The county master plan is, but is not limited to, a map, together with charts, drawings, diagrams, schedules, reports, ordinances, or other printed or published material, or any one or a combination of any of the foregoing.

C. Requirements for application.

1. Initiation of amendments. The director, planning commission, the board, or a property owner, resident or the owner of a business located in the county may initiate a request for amendment of the master plan map. The ~~community~~

~~development~~ **planning** department is responsible for reviewing and processing of master plan map amendments. A public hearing must be scheduled before the board within 45 days of the planning commission action.

2. Types of applications. There are 3 types of applications for master plan amendments. The first type is an amendment to the master plan map. The second type of amendment is an amendment to the master plan text. The third type of amendments to the county master plan is adoption of a new master plan element.
3. Completeness. No master plan amendment may be processed until the information necessary to review and decide upon the proposed master plan amendment or element is determined to be complete by the director.
4. Timing of amendments. The county master plan land use map may be amended by the board no more than 4 times per year on a schedule to be determined by the director. Master plan elements or other master plan text amendments may be submitted in any month during the calendar year for adoption.
5. Frequency of amendment. Only the board or planning commission may initiate an amendment of the master plan for a parcel within 12 months after an amendment on that parcel has been approved or denied.

D. 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.

E. Elements of the master plan. The master plan, along with accompanying maps, charts, drawings, diagrams, schedules and reports may include, but is not limited to, the subject matter appropriate under state law for the county and as the basis for the physical development of the county.

F. Master plan maps. The official county zoning maps may serve as the maps for the county master plan.

G. Adoption of master plan by planning commission. The planning commission must prepare and adopt a comprehensive, long-term master plan for the physical development of the county. This plan will be known as the county's master plan and must be prepared so that all or portions of the plan may be adopted by the board as the basis for the development of the county for a set, reasonable period of time. The planning commission must hear the request within 120 days of a determination of completeness by the department. The adoption of the master plan, or of any amendment, extension or addition, must be at a public hearing and be by resolution of the planning commission carried by the affirmative votes of not less than two-thirds of the total membership of that body. The resolution must refer expressly to the maps, descriptive matter, and other matter intended by the planning commission to constitute the plan or any amendment, addition or extension, and the action taken must be recorded on the map and plan and descriptive by the identifying signatures of chair of the planning commission and its secretary or clerk.

H. Adoption of master plan by board. Following receipt of a certified copy of the resolution approving a master plan amendment or the report referencing the

decision and findings of the planning commission, the board must schedule a public hearing to decide whether to adopt the amendment. The ~~community development~~ **planning** department must provide published notice of the hearing. For amendments to the master plan map or text amendments seeking a change to minimum parcel size policy provisions, personal notice must also be given. The board may continue a master plan application pursuant to section 17.03.080(D). The board may adopt all or a portion of the master plan for all or any part of the county. If the board's approval proposes to change the plan, as adopted by the planning commission, it must refer the proposed changes to the planning commission for its report and recommendation. The planning commission must review the proposed changes at a regularly scheduled meeting and file an attested copy of its report and recommendation with the county clerk within 40 days after referral from the board. Failure to file the report and recommendation within the time period is considered to be an approval of the proposed changes to the amendment.

I. Findings of fact. The board and planning commission must, at a minimum, make the following findings of fact in the decision:

1. Consistency with the existing master plan.
   a. Adoption. The proposed amendment is in substantial compliance with the goals, policies and action programs of the existing master plan.
   b. Denial. The proposed amendment is not in substantial compliance with the goals, objectives and policies and action programs of the existing master plan.
2. Compatible land uses.
   a. 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.
   b. 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.
3. Response to change conditions.
   a. Approval. 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.
   b. 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.
4. Desired pattern of growth.
   a. Approval. The proposed amendment will promote the desired pattern for the orderly physical growth of the county and guides development of the county based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
   b. Denial. The proposed amendment does not promote the desired pattern for

the orderly physical growth of the county. The proposed amendment does not guide development of the county based on the projected population growth with the least amount of natural resource impairment and/or the efficient expenditure of funds for public services.

5. When forwarding its recommendation to the board for adoption of a master plan element, the planning commission must, at a minimum, make the following findings of fact:
   a. That the proposed element is consistent with and not contrary to the present elements of the existing master plan.
   b. That the element must be part of the existing county master plan, which is a comprehensive long-term document for the physical development of the county, and that the element will now supplement the other master plan elements that compose the county master plan.
   c. The proposed element will promote a desired pattern of orderly, physical growth of the county or guide a particular type of development activity within the county, which will be based on the projected population growth with the least amount of impairment to natural resources and available water, and the efficient expenditure of funds per public services.

J. Implementation of the master plan by the board. Whenever the board has approved the master plan, upon recommendation of the planning commission, the board must determine a reasonable and practical means for implementing the master plan. The master plan will serve as a pattern and guide for the kind of orderly physical growth and development of the county that will cause the least amount of natural resource impairment and will conform to the county growth plan as a basis for the efficient expenditure of funds, relating to the subject elements of the master plan. The board may adopt and use procedures as may be necessary for the implementation of this title.

17.03.220 Zone map amendments and zone text amendments

A. Amendments. This title and land use map incorporated as part of this title may be amended, repealed, or supplemented by the board.

B. Application requirements. Amendments to this title or the county official zoning district map may be initiated by the board, planning commission, or an owner of a lot or parcel, by filing with the director a signed and complete application, accompanied by the necessary fee, and application materials including all evidence and facts required under this section. Pursuant to section 17.03.230(C) only the owner of a lot or parcel may initiate an application for a zone change to PUD.

C. Investigation. The director will investigate each application to assure that the proposal is consistent with the requirements of this title.

D. Notice. Notice of time and place of planning commission and board hearings must meet the requirements in section 17.03.070.

E. Hearing.

1. The planning commission must hold a public hearing with notice required under chapter 17.03.060 on all proposed amendments within 65 days following the acceptance of a complete application.

2. When the planning commission deems it proper, it may consider other property for change in addition to that sought in the application; provided, that proper notice has been given pursuant to this section.

F. Findings. The applicant for a zoning map amendment or zoning code amendment has the burden of proof to provide facts supporting the proposed zoning map amendment or zoning text amendment. The applicant must provide adequate information in the application and on the site plan to substantiate the findings required in this section. The submitted application for a PUD must also provide adequate information to substantiate the findings required in section 17.03.230(C). The board and planning commission must determine if the information presented is adequate to support their decision.

1. Before a zoning map amendment may be recommended for approval, the applicant must provide evidence to the board and planning commission concerning the physical use of land and zoning currently existing in the general vicinity, and which have occurred in the previous 5 year time period, and describe:
   a. How the proposal will impact the immediate vicinity.
   b. 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.
   c. If the proposed amendment will impact properties within that use district.
   d. Any impacts on public services and facilities, and availability of water resources.
   e. How the application for a PUD will conform to the findings in section 17.03.230(C).
2. The planning commission, in forwarding a recommendation to the board for approval of a zoning map amendment or zoning code amendment must make the following findings of fact:
   a. That the proposed amendment is in substantial compliance with and supports the goals and policies of the master plan;
   b. That the proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity;
   c. That the proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.
   d. That the approval of a PUD will conform to the findings in section 17.03.230(C).

G. Planning commission decision. Following the public hearing, the planning commission will determine if there is adequate evidence in the record to support the facts and findings required by this section and must recommend to the board to approve or deny the request for the zoning map amendment or zoning text amendment.

H. Report to the board. The planning commission must forward to the board a copy of its decision and findings recommending approval, modification, or

denial of the proposed zoning map amendment or zoning code amendment.

I. Action by the board. The board must consider the evidence relating to the map amendment or the ordinance containing the proposed zoning text amendment at a hearing noticed and conducted in accordance with the provisions of this title and state law. The zone text amendment must be adopted by ordinance and the map amendments must be adopted in accordance with all procedures established in this code. Following approval of the ordinance or map amendment, the zoning text or the official zoning map must be changed to reflect the amendment.

17.03.230 Planned unit developments

A. Pre-application submittal conference. Before an application for a PUD zone may be accepted, a pre-submittal conference including the developer (or an authorized representative) and county staff, including staff from other regulatory agencies or jurisdictions if necessary, is required to discuss proposed plans and review submittal requirements. The purpose of the pre-application submittal conference will be to determine if and how the proposed development may satisfy the required findings of fact under sections 17.03.230(C).

B. Application. An application for a PUD will include a request for zone change from the existing zone to PUD; a tentative map pursuant to section 17.03.220; and a PUD development plan which conforms to the provisions of chapter 17.56 (PUD zone). All of these required components will be submitted together in the application.

C. Approval and required findings. As required by NRS 278A.500, the grant or denial of tentative approval by minute action must set forth the reasons for the grant, with or without conditions, or for the denial, and the minutes must set forth with particularity in what respects the plan would or would not be in the public interest including, but not limited to, findings on the following:

1. In what respects the plan is or is not consistent with the statement of objectives of a planned unit development.
2. The extent to which the plan departs from zoning and subdivision regulations otherwise applicable to the property including, but not limited to, density, bulk and use, and the reasons why these departures are or are not deemed to be in the public interest.
3. **The ratio of residential to nonresidential use in the planned unit development.**
4. **The purpose, location and amount of the common area in the planned unit development, the reliability of the proposals for maintenance and conservation of the common area, and the adequacy or inadequacy of the amount and purpose of the common area as related to the proposed density and type of residential development.**
5. **The physical design of the plan and the manner in which the design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.** ~~3. The ratio of residential to nonresidential use in the planned unit development. 4. The purpose, location and amount of the common area in the planned unit development,~~

~~the reliability of the proposals for maintenance and conservation of the common area, and the adequacy or inadequacy of the amount and purpose of the common area as related to the proposed density and type of residential development. 5. The physical design of the plan and the manner in which the design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.~~

~~3.~~ **6.** The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed to be established.

~~4.~~ **7.** In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public, residents and owners of the planned unit development in the integrity of the plan.

~~5.~~ **8.** The extent to which the plan is consistent with the statement of objectives of a planned unit development contained in the master plan, this chapter, and chapter 17.56 (planned unit development zone).

~~6.~~**9.** The extent to which the proposed development is compatible and preserves the character and integrity of adjacent developments and communities.

~~7.~~**10.** The extent to which the quality or quantity of available water for surrounding communities and uses will be protected.

~~8.~~**11.** The extent to which sufficient quality and quantity of water serving the anticipated number of units in the proposed development, including phasing and at completion, will be provided.

~~9.~~ **12.** The extent to which the development conforms to existing topography (including hillside and ridgeline environments as described in chapter 17.56), water bodies, natural drainage systems, and other geographic features.

~~10.~~**13.** The extent to which the development provides for an orderly and creative arrangement of land uses that include a variety of housing types, commercial services, employment and recreational opportunities, and common area for recreational purpose (passive and active), or any combination thereof, designed to achieve a balanced integration of economic, housing, or redevelopment opportunities.

~~11.~~**14.** The extent to which the development mitigates adverse impacts such as traffic, noise, odors, visual nuisances, light pollution, or other similar adverse effects to adjacent developments and communities.

~~12.~~**15.** Where the development plan proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public, residents, and owners of the PUD and the integrity of the plan and, where the plan provides phases, the period in which the application for each phase must be filed.

~~13.~~**16.** Where there is deviation from the standard ordinance requirements in the county code, how it will be warranted by the design and additional amenities incorporated in the development which offers certain unusual redeeming features to compensate for any allowed deviations.

~~14.~~**17.** The extent to which the development will not result in material prejudice or diminution in the value of surrounding properties, and will not endanger

the health, safety, and general welfare of the community.

D. Development standards. The development standards, density, and intensity of uses of a planned unit development are regulated pursuant to chapter 17.56.

E. Revision procedure. A public hearing by the planning commission and board is required before revisions to the plan which involve changes in land use, expansion, or intensification of development, or changes in the standards of development may be approved. The director will determine on a case-by-case basis those instances when a revision to the development plan is necessary, following the same procedure as the original application. Changes in an approved development plan which do not involve changes in land use, expansion, or intensification of development or changes in the standards of development may be approved by the director if the changes are consistent with the purposes, character, and conditions of the development plan.

F. Development schedule, modification, or revocation.

1. An application for a PUD approval must be accompanied by a development schedule, including a phasing plan, indicating the dates when applications for final approval of all sections of the plan are to be filed and, in the case of tentative maps, dates that the final map or series of final maps must be recorded by.
2. Minute order. As required by NRS 278A.510, unless the time is specified in an agreement entered into pursuant to NRS 278.0201, if a plan is granted tentative approval, with or without conditions, the board must set forth, in the minute action, the time within which an application for final approval of the plan must be filed or, in the case of a plan which provides for development over a period of years, the periods within which application for final approval of each part thereof must be filed. The board may add, delete, or modify the conditions of approval for a planned development when approving a modification to a development schedule.
3. Tentative approval will be revoked for areas included in the plan for which final approval has not been given if:
   a. The landowner elects to abandon the plan or any part thereof, and so notifies the director in writing; or
   b. The landowner fails to file application for the final approval within the required time.

G. Identification. Each planned development overlay must be numbered, the first adopted being shown on the zoning map as Planned Development (1) and each zone subsequently adopted being numbered consecutively.

H. Compliance with chapter, application restricted. Compliance with any requirement contained in this chapter must not be construed to relieve the applicant from compliance with subdivision regulations, building code requirements, or any other applicable regulations of the county, except when they are modified in the approval process.

I. Status of plan after tentative approval.

1. Tentative approval of a planned development plan does not qualify the plan for recording or authorize development or the issuance of any building

permits. Recording and development of the planned development requires filing and approval of substantially conforming applications for final approval of each phase within the time specified in the order approving the application for tentative approval.

2. A plan which has been approved by the board as submitted, or which has been given tentative approval with conditions which have been accepted by the developer, may not be modified, revoked or otherwise impaired by action of the county pending an application for final approval without the consent of the developer or assigns, except as provided in subsection 17.03.230(J).

J. Revocation of tentative approval. Tentative approval may be revoked in accordance with the procedures set forth in this chapter and the portion of the area included in the plan for which final approval has not been given is subject to the current provisions of this title if:

1. The developer elects to abandon the plan or any part thereof, and so notifies the county in writing; or
2. The landowner fails to file applications for final approval within the times established in the tentative approval.

K. Procedure for final map approval.

1. Application requirements. An application for final approval of a phase or phases of a PUD must be submitted to the director on forms provided by the ~~community development~~ **planning** department within the times specified by the tentative approval of the plan. The application for final approval may be for all the land included in a tentatively approved plan or, to the extent set forth in the tentative approval, for a particular phase of the plan. The application must be accompanied by the maps, drawings, specifications, fees, covenants, easements, conditions and forms of performance security required in the tentative approval or otherwise required by law. If a tentative map is submitted with the development plan, a final map must be approved at or before final plan approval.
2. Determination of substantial compliance. The director will review the application for final approval and all information submitted and determine whether it complies with the approved tentative plan. The plan submitted for final approval will not be in substantial compliance if any modification:
   a. Varies the proposed gross residential density or intensity of use;
   b. Varies the proposed ratio of residential to non-residential use;
   c. Involves a reduction of the area set aside for common area or involves the substantial relocation of the area;
   d. Substantially increases the floor area proposed for non-residential use;
   e. Substantially increases the total ground areas covered by buildings or involve a substantial change in the height of buildings;
   f. No longer meets adequate public facilities standards of this title, except for minor modifications in the location and design of streets or facilities for water and for disposal of storm water and sanitary; or
   g. Is not accompanied by proof of satisfaction of conditions imposed as prerequisites to final plan approval.

3. Approval of applications which substantially comply with tentative approval. The director must approve a final plan if it is in substantial compliance with the plan as tentatively approved.

L. Procedure for determining noncompliance.

1. If the final plan as submitted for final approval is found by the director not to be in substantial compliance with the plan as tentatively approved, the director must, within 30 days of the date of filing of the application for final approval, notify the developer in writing the particular ways in which the plan is not in substantial compliance with the tentative approval.
2. The developer may:
   a. Treat the notification as a denial of final approval;
   b. Re-file the plan in a form which is in substantial compliance with the plan as tentatively approved; or
   c. File a written appeal request with the director that a hearing be set before the commission on the application for final approval.
3. If the developer elects the alternative set forth in subsection (2)(ii) or (2)(iii) above, the developer may re-file the plan or file a request for a public hearing, as the case may be, on or before the last day of the time within which the developer was authorized by the tentative approval to file for final approval, or 30 days from the date the developer receives notice of the refusal, whichever is the latter.
4. The public hearing must be held within 30 days after the request for the hearing is made by the landowner. Notice must be given and the hearing must be conducted as prescribed by this chapter. Within 20 days after the conclusion of the hearing, the commission must either grant final approval of the plan or deny final approval of the plan. The grant or denial of final approval of the plan must contain the findings of fact required in in this section and chapter 17.56.

M. Certification, filing and recording of approved plan. A plan, or any part, which has been given final approval, must be certified without delay by the county and filed of record in the county recorder's office before any development occurs in accordance with the plan. The county recorder must not file for record any final plan unless, if required by the provisions of this code, a final map has been approved, the certificates of approval as required under NRS 278.377 have been provided, or the map is accompanied by evidence that the approvals were requested more than 30 days before the date on which the request for filing is made, and that the approval has been refused.

N. Effect of recordation. After the final map is recorded for the PUD, or any phase, the zoning and subdivision regulations of this code apply to the land subject to the final map or phase only to the extent that these regulations have been incorporated in the final plan as recorded.

O. Development schedule, revocation or amendment. The PUD project must be initiated within 3 years of approval of the final map. If the PUD owner fails to meet this deadline and the approved schedule, including phasing, the board may initiate proceedings to reclassify the property back to its original underlying

zone(s) and revoke the approval of the development plan, or amend the required timelines and phasing in the development plan.

Chapter 17.06

Nonconforming Uses

Sections:

17.06.010 Purpose.
17.06.020 Continuance of nonconforming use
17.06.025 Nonconforming parcel size
17.06.030 Expansion of nonconforming use
17.06.040 Discontinuance of use
17.06.050 Damaged nonconforming buildings
17.06.060 Procedure for loss of legal nonconforming use status

17.06.010 Purpose

The purpose of this chapter is to regulate and limit the continued existence of lawfully created uses and structures established before the enactment of this title or any amendments that do not conform to the provisions of this title. These nonconforming uses may continue~~.~~; but the intent is to limit substantial investment in nonconforming uses and structures and when necessary to preserve the integrity of this title to bring about their eventual elimination.

17.06.020 Continuance of Nonconforming Use

A lawful use of land or buildings not in conformance with the regulations prescribed in this title but legally existing before the enactment of this title or any amendments may be a continued nonconforming use.

17.06.025 Nonconforming Parcel Size

The area of any lot created after the effective date of this title must not be less than the minimum area required by the respective zone. Where an existing lot has less area than required in the zone, but was recorded before the adoption of this title or any amendments that make the lot nonconforming, the lot may remain at its existing size and be developed with the uses allowable in the zone. A variance pursuant to ~~Chapter~~ **chapter** 17.03 Administrative provisions, will be required if building setback requirements cannot be met.

17.06.030 Expansion of Nonconforming Use

A nonconforming use of land or building may not be extended or expanded. Minor modifications or repair and maintenance are permitted.

17.06.040 Discontinuance of Use

A lawful use of nonconforming land or buildings, including house trailers or mobile homes, which is operationally abandoned or discontinued for a period of one year or more, may not be resumed or re-established.

17.06.050 Damaged Nonconforming Buildings

Nonconforming buildings that have been damaged or destroyed by natural calamity may be repaired or reconstructed within one year from the date of damage; provided the

repaired or reconstructed building is same as the previous use and the repairs cost less than 50% of the fair market valuation.

17.06.060 Procedure for Loss of Legal Nonconforming Use Status

The ~~community development~~ **building and planning** departments ~~has~~ **have** the responsibility to ensure compliance with this chapter. If ~~the~~ **either or both** department determine~~s~~ that a use or structure no longer meets the requirements of a legally created nonconforming structure or use, the department will file a report with the reason for the determination and a recommendation with the board. Personal notice must given to the owner of the nonconforming structure and a hearing must be set within 30 days of the date the notice is mailed specifying the time and place of the hearing. The board must decide whether the use or structure is required to meet the provisions of this title.

Chapter 17.08

Zones Generally

Sections:

17.08.010 Establishment of zoning districts
17.08.020 Zoning districts
17.08.030 Statement of purpose and intent of each zoning district
17.08.040 Map of zoning districts
17.08.050 Area zoning maps
17.08.060 Changes of official and area zoning maps
17.08.070 Rules for interpretation of zone boundaries

17.08.010 Establishment of Zoning Districts.

Storey County, Nevada is divided into zoning districts of such number and character as necessary to achieve compatibility of uses within each district, to implement the master plan and related official plans and the official county zoning map.

17.08.020 Zoning Districts.

For the purpose of this title, all land in Storey County is divided into zoning districts that are designated as follows:

A	Agricultural
C	Commercial
CR	Commercial-Residential
E	Estates (1, 2.5, 5, 10 and 40 acre parcels)
E-1-VCH	Estates 1 acre—Virginia City Highlands
E-10-HR	Estates 10 acres—Highland Ranches
E-40-VR	Estates 40 acres—Virginia Ranches
F	Forestry
H	Historic Overlay District
IC	**Industrial Commercial**
~~I-1~~ **I1**	Light Industrial
~~I-2~~ **I2**	Heavy Industrial
~~I-3~~ **I3**	Heavy Industrial
~~I-S~~ **IS**	Special Industrial
MHP	Manufactured-Mobile Home Park
NR	Natural Resources
P	Public
PUD	Planned Unit Development Overlay District
~~R-1~~ **R1**	Single-Family Residential
~~R-2~~ **R2**	Multi-Family Residential
SPR	Special Planning Review

17.08.030 Statement of Purpose and Intent of Each Zoning District.

The statement of purpose and intent of each zoning district is contained in each zoning district chapter.

17.08.040 Map of Zoning Districts.

The land use zones and their boundaries are established and adopted as shown on the map entitled "Official Zoning Map of Storey County." This map is made a part of this title by reference. The official zoning map is identified by the signature of the chairman of the board of county commissioners attested by the county clerk under the following words: "This is to certify that this is the Official Zoning Map of Storey County referred to in Section 17.08.040 of the Zoning Ordinance of Storey County, Nevada" together with the date of adoption.

17.08.050 Area Zoning Maps.

For convenience and identification, the official zoning map may be divided into separate maps having a scale different than the official zoning map. The zones and boundaries of the zones must be determined and delineated in accordance with the official zoning map if the area map is an enlargement of the official zoning map. When an area zoning map is created and not based upon the delineations of the official zoning map, a public hearing will be held for each area covered as provided in chapter ~~17.64~~ **17.03 Administrative provisions**, prior to adoption of the map. Upon adoption, regulations governing the zones become effective. Each area zoning map must be certified in the manner specified for the official zoning map in Section 17.08.040.

17.08.060 Changes of Official and Area Zoning Maps.

In accordance with the provisions of this title, if changes are made in zone boundaries or other matters portrayed on the official or area zoning map, the changes must be entered on the official or area zoning map promptly after the amendment has been approved by the board with an entry on the official or area zoning map indicating the ordinance number and date adopted. The entry must be signed by the chairman of the board and attested by the county clerk. Regardless of the existence of the purported copies of the official and area zoning maps which may from time to time be made or published, the official zoning maps of Storey County are to be located in the office of the county recorder and **are** the final authority as to the current zoning status of land and water area, buildings and other structures in the county.

17.08.070 Rules for Interpretation of Zone Boundaries.

Where uncertainty exists as to the boundaries as shown on the official and area zoning maps, the following rules apply:

A. Boundaries indicated as approximately following the centerline of streets, highways or alleys must be construed to follow that centerline;
B. Boundaries indicated as approximately following plotted lines, section lines, or quarter section lines must be construed as following those lines;
C. In non-subdivided property or where a zone boundary divides a lot, the location of the boundary, unless it is indicated by dimensions, must be determined by use of the scale appearing on the map;
D. In case any uncertainty exists, the board may determine the location of boundaries, after considering a recommendation on the location by the planning commission.

Chapter 17.10

Definitions

Sections:

17.10.020 Definitions generally
17.10.030 Definitions

17.10.020 Definitions Generally

For the purpose of this title certain terms and words are defined as follows in this chapter. When consistent with the context, words used in the present tense include the future; words in the singular include those in the plural and the plural the singular; any words of gender include the opposite gender; "building" includes "structure," the word "shall" is mandatory, not discretionary, the word "person" includes "firm," "association," "corporation," "partnership," and "natural person"; the word "used" includes the words "arranged," "designed," or "intended to be used"; and the word "construct" includes the words "erect," "reconstruct," "alter," "move-in" and "move-upon."

17.10.030 Definitions

Abandoned. The term "abandoned" concerns a building or use that has not been developed or maintained for a period of time as stated in an ordinance.

Access Way. The term "Access Way" means a clear and unobstructed usable approach of at least 12 feet in width (residential), 15 feet in width (one-way commercial), and 24 feet in width (two-way) from a development upon land to a public travelled way located within a public right-of-way. An access may also be secured by means of an easement from the owner of a parcel or lot proposed to be built upon for the full length of the parcel or lot extending to a public right-of-way, or any other access way suitable or acceptable to the community and public works departments.

Accessory building, detached. The term "Accessory Building, Detached" refers to a building on the same lot as the principal building, but which is physically separated from the principal building, subordinate to the principal building, and devoted to a use incidental to that principal building. A detached accessory building is not designed, configured, or used for human habitation. The detached accessory building may be connected to water and wastewater systems subject to the recordation of a deed restriction prohibiting the use of the structure as a dwelling unit (see accessory dwelling unit). Installation of both a kitchen, and bathroom with bathtub or shower, changes the building to an accessory dwelling unit and, therefore, subject to the respective regulations. Typical uses include detached garages, outbuildings, storage buildings, barns, sheds, etc.

Accessory dwelling unit, attached. The term "Accessory Dwelling Unit, Attached" refers to a portion of a principal single-family dwelling or other principal building that is designed to be used as a separate and completely independent dwelling unit. An attached accessory dwelling unit includes, at a minimum, a

permanent kitchen and a bathroom with bathtub or shower. It may also include habitable space for living, sleeping, and eating. The attached accessory dwelling is separated from the principal unit by walls, ceilings, or other permanent partitions, or by non-habitable space such as a garage, and is accessed through a lockable door between the partitions, or by a separate entrance from the principal living space. Incidental and accessory features such as trellises, decks, patios, breezeways, tunnels, or bridges connecting the non-principal dwelling space to the principal structure, are not considered as establishing an attached dwelling unit. Typical uses include guesthouses, second units, granny-flats, mother-in-law quarters, etc.

Accessory dwelling unit, detached. The term "Accessory Dwelling, Detached" refers to a separate and completely independent dwelling unit on the same lot as the principal single-family dwelling or other principal building, but which is physically separated from the principal building. A detached accessory dwelling unit includes, at a minimum, a permanent kitchen and a bathroom with bathtub or shower. It may also include habitable space for living, sleeping, and eating. The accessory dwelling unit is considered detached regardless of whether it is connected to the principal single-family dwelling by trellises, decks, patios, breezeways, tunnels, or bridges. Typical uses include guesthouses, second units, granny flats, mother-in-law quarters, etc.

~~**Accessory Building.** The term "Accessory Building or the term "Accessory Structure" means a detached building or structure associated with a permitted or conditional use that is subordinate to the primary use on the same lot. Buildings typically associated with the use include but are not limited to storage sheds, tool shops, children's playhouses, guest buildings, greenhouses, garages, swimming pools or similar structures. A portion of a building connected to a main building by a common wall of any length, or by a roof, breezeway, tunnel, bridge, or other means that is not habitable space and that does not exceed 30 feet in distance will be considered part of the primary building and not an accessory building.~~

Accessory Use. The term "Accessory use" means customarily ~~incident, ancillary,~~ **incidental and subordinate** ~~and accessory~~ to the principal use of the land~~, building, or structure~~ located on the same lot or parcel. ~~of land as the accessory use.~~

Active Permit. The term "Active Permit" means a permit issued by a federal, state, or county agency that is active, has not expired, has not been revoked or suspended, and otherwise remains in effect.

Adjacent. The term "Adjacent" for the purpose of determining setback requirements for adjacent uses means that a parcel is "adjacent" if it is contiguous with the principal parcel on any side or it is situated opposite the principal parcel across a public or private right-of-way or access easement. Where an adjacent parcel is located across a public or private right-of-way or access easement, setback requirements will be measured from the centerline of the right-of-way or access easement.

Administrative Offices. The term "Administrative Offices" refers to public or private offices, firms, or organizations that are primarily used for the provision of executive, management, or administrative services. Examples of these services include recordkeeping,

secretarial service, telephone answering, photocopying and reproduction, and similar services customarily associated with the functions of administrative offices.

Adult Merchandise Retail Use. The term "Adult Merchandise Retail Use" refers to retail establishments furnishing adult material for display, sale, lease, or rental. Adult material includes but is not limited to books, merchandise, periodicals, video tapes, video disks (including DVDs and other recorded video devices), computer disks, instruments, devices, or any other paraphernalia depicting, describing, or otherwise relating to "specific sexual activities" and "specific anatomical areas."

A. For the purposes of this chapter "specific anatomical areas" includes exposed human genitals, the pubic region, buttocks, and female breasts below a point immediately above the areola;
B. For purposes of this chapter, "specific sexual activities" includes any form of actual or simulated sexual intercourse, copulation, bestiality, sadism, masochism, and fondling or touching of "specific anatomical areas."

Aggregate Facility. The term "Aggregate Facility" refers to an operation involved in the exploration and mining of rock quarries, gravel pits, and sand or earth borrow pits, as well as the excavation, extraction, and processing of sand, diatomite, gravel, and rock. The term does not apply to the excavation, extraction, beneficiation, and processing of locatable metallic minerals, such as gold, silver, lead, copper, zinc, nickel, etc., nor to that of non-metallic minerals, such as fluorspar, mica, limestone and gypsum, titanium, heavy mineral placer form, and gemstones.

Agricultural, Animal Production. The term "Agricultural, Animal Production" use type refers to the raising of animals or production of animal products, such as eggs or dairy products, on an agricultural or commercial basis, but excluding commercial slaughtering. Typical uses include grazing, ranching, dairy farming, and poultry farming, but do not include intensive agricultural uses.

Agricultural, Entertainment and Commercial. The term "Agricultural Entertainment and Commercial" use refers to agriculturally-themed visitor-oriented services, sales, and attractions "with an agricultural theme" conducted in conjunction with on-site agricultural uses. The use includes but is not limited to retail and food sales, as well as the provision of tasting rooms, reception facilities, and outdoor entertainment areas.

Agricultural, General. The term "Agricultural General" refers to the use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the accessory uses of packing, treating, and storing of produce; provided that the operation of the accessory uses is secondary to that of the principal agriculture use. The term does not include agricultural industrial uses, laboratories or testing facilities involving the use of animals, recreation, hunting clubs, fishing clubs, and other similar uses types.

Agricultural, Industrial Use. The term "Agricultural, Industrial Use" refers to the following agriculturally related uses that are classified as industrial uses related to agriculture:

A. **Agricultural, Intensive Use.** The term "Agricultural, Intensive Use" also known as "factory farms", means the process of raising large numbers of livestock and other animals in close confinement at high stocking density. Typical uses include, but are not limited to, dairies, hog farms, poultry production, slaughterhouses, shipping terminal holding pens, concentrated feeding or holding of large numbers

of animals, and areas for storage or processing of manure, garbage, or spent compost materials. The term does not include animal husbandry.

B. **Agricultural Packing and Processing.** The term "Agricultural Packing and Processing" refers to the washing, storing, crating, rendering, packing and other functional operations such as drying, field crushing, or other preparation of meats and other agricultural products, but not those which are incidental to the general agricultural use, custom animal processing, or butcher shops;

C. **Slaughter House.** The term "Slaughter House" refers to any land, building, place, or establishment in which animals are slaughtered, eviscerated, or dressed and that is not incidental to general agricultural use or custom animal processing;

D. **Stockyard and Auction Facilities.** The term "Stockyard and Auction Facilities" refers to any land, building, place, or establishment in which agricultural goods or livestock are sold by auction.

Agricultural, Research. The term "Agricultural Research" use refers to establishments conducting experimental research relating to the production of agricultural commodities. The research typically involves experimentation relating to landscaping techniques, seed choice, use of herbicides and pesticides, and other agricultural practices. Agricultural Research use does not include laboratories or testing facilities involving the use of animals for experimentation purposes.

Air Bag. The term "Air Bag" refers to an automobile safety device, also known as a supplementary restraint system, consisting of a bag designed to inflate automatically during a vehicular collision.

Alley. The term "Alley" refers to a public way permanently reserved as a secondary means of access to abutting property and not intended for general traffic circulation.

Allowed Use. The term "Allowed Use" refers to a land use that is allowed under this title and does not require a special use permit.

Alter. The term "Alter" refers to change, make different, adjust, or modify in any way.

Amusement Park. The term "Amusement Park" refers to a permanent facility or park where amusement rides are available for use by the public. An amusement ride means a type of ride, including, without limitation, any mechanical or aquatic device that carries passengers over a fixed or restricted route primarily for the passengers' amusement. The term includes any ride propelled by its passengers or gravity if it is located in an amusement park. The term does not include temporary carnivals, circuses, or fairs that are transient (lasting no longer than 30 days in one year) in nature.

Animal Processing, Custom. The term "Animal Processing, Custom" refers to slaughtering, eviscerating, dressing, or processing an animal or processing meat products for the owner of the animal or of the meat products, if the meat products derived from the custom operation are returned to the owner of the animal.

Animal Processor, Custom. The term "Animal Processor, Custom" refers to a person who slaughters or processes non-inspected meat (not under continuous inspections by either the Nevada Department of Agriculture or the U.S. Department of Agriculture for slaughter house activities) for the owner of the animals, and returns the majority of the meat products derived from the slaughter or processing to the owner. "Custom processor" does not include a person who slaughters animals or processes meat for the owner of the animals on a farm or premises of the owner of the animals.

Apartment Building. The term "Apartment Building" refers to a building of multi-family dwelling units devoted to monthly rental, lease arrangements, and other long-term residential use.

Apartment Hotel. The term "Apartment Hotel" refers to a building or portion thereof designed for or containing ~~both~~ individual guest rooms ~~or~~, **and** suites of rooms~~, and dwelling units~~ **for temporary quartering**. ~~Apartment hotels are flexible types of accommodation and usually offer complete fully-fitted apartments. These complexes are sometimes custom built and similar to a hotel complex containing a varied amount of apartments.~~ The length of stay in apartment hotels is varied, ~~lasting anywhere~~ **generally lasting for less than 30 days, but sometimes exceed 30 days**. ~~from a few days to months or even years.~~ An apartment hotel is a commercial **transient lodging** ~~type~~ use **generally for the purpose of temporary housing for professionals on extended visits related to business.** ~~and is~~ **Apartment hotels are** not to be considered a shelter for the homeless, a convalescent or civic convalescent or group care, or continuum of care service facility.

Arcade. The term "Arcade" refers to a single use facility that provides electronic, mechanical, or video game machines for use of patrons.

Archery Range. The term "Archery Range" refers to an indoor or outdoor facility in which the art, skill, or sport of shooting with a bow and arrow or similar devices are conducted.

Arrow. The term "Arrow" refers to a mark or object of a distinctive shape that clearly indicates direction to a place by its shape and position.

Assessment Work. The term "Assessment Work" refers to the minimum amount of work required annually by the Bureau of Land Management to keep an unpatented mining claim active.

Attached. The term "Attached" means joined in close association.

Automotive, Repair. The term "Automotive Repair" use refers to the use of a location principally for the repair of automobiles and light-duty motor vehicles. The use includes the sale, installation, and servicing of automobile equipment and parts. Examples of Automotive Repair use include muffler and brake shops, automobile repair garages, automobile glass shops, and similar establishments.

Automotive, Sales and Rentals. The term "Automotive Sales and Rentals" use refers to on-site sales or rentals of automobiles, motorcycles, or similar light-duty motor vehicles. It also includes incidental repair, maintenance, washing, and detailing. Examples of this use include new and used car dealerships and rental agencies.

Automotive, Service Station. The term "Automotive, Service Station" refers to a place where automobiles or similar light-duty motor vehicles are fueled or serviced, including gasoline sales and service station, retail sales of petroleum products from the premises of the establishment and incidental sales of tires, batteries, replacement items, lubricating services, and minor repair services. An automotive service station may be combined with a convenience store, a retail establishment that is principally devoted to providing the public with a convenient location to purchase consumable products quickly and in which the area open to the public is less than 5,000 square feet in area.

Automotive, Washing and Detailing. The term "Automotive, Washing and Detailing" use refers to the washing, detailing, waxing, or cleaning of automobiles or similar light-duty motor vehicles. Facilities may use manual washing methods (including coin operated) or production line conveyor mechanisms.

Auto wrecking and dismantling yard. The term "Auto Wrecking and Dismantling Yard" use refers to 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.

Junkyard. The term "Junkyard" us refers to 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.

Banner. The term "Banner" refers to a long strip of flexible material that is suspended between two points for the purpose of decoration, advertising, or otherwise displaying a message.

Basement. The term "Basement" refers to a story underground or partially underground. A basement will be counted as a story for purposes of height measurement if its height is one-half or more above grade.

Batch Plant (Concrete and Asphalt). The term "Batch Plant" refers to an industrial facility used for the production of concrete or asphalt or related products, used in building or construction, including 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 not including the retail sale of finished concrete or asphalt products. A facility operating for less than 1 year is considered a temporary batch plant; a facility operating for a period of 1 year or more is considered permanent.

Beauty Salon. The term "Beauty Salon" refers to a commercial establishment offering products or services related to personal beauty and fashion, such as hair cutting and styling, manicures, and pedicures.

Bed and Breakfast Inn. The term "Bed and Breakfast Inn" refers to a facility with sleeping rooms and dining accommodations, ~~limited to overnight guests only~~ **limited to stays of less than 30 days in a one year period**, designed to serve ~~the motoring public~~ **paying guests** within a single-family **residential** dwelling, with required parking to be located off-street.

Belfry. The term "Belfry" refers to a bell tower or part of a tower or steeple attached to a principal building in which bells are hung.

Billboard. The term "Billboard" refers to a device, display, sign, or structure, or part thereof with a sign face measuring more than 128 square feet in area, that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or

location; or to express a point of view, by any means, including words, letters, figures, design, symbols, fixtures, colors, illuminations.

Blackboard. A smooth, hard, dark-colored panel or surface for writing on with chalk.

Board. The term "Board" refers to the Storey County Board of County Commissioners.

Boarding and Rooming House. The term "Boarding and Rooming House" refers to a building or portion of the building designed for containing either individual guest rooms or suites or rooms and dwelling units as a transient commercial **lodging** use. Boarding and rooming houses are flexible types of accommodations where oftentimes the common parts of the building are maintained by the owners or managers, and some services such as laundry, cleaning, and one or more meals may be provided. The length of stay in boarding and rooming houses is varied, lasting anywhere from days to months, or even years. A rooming and boarding house is a commercial type use and is not to be considered a shelter for the homeless, a convalescent or civic convalescent or group care, or continuum of care service facility.

Body Piercing. The term "Body Piercing" refers to the practice of piercing holes in parts of the body so that rings, studs, and other objects can be inserted.

Bracing. The term "Bracing" refers to a structural member used to stiffen or otherwise support a structure or framework.

Brew Pub. The term "Brew Pub" also known as a "micro-brewery" refers to an establishment **that is 10,000 square-feet or less in area** that manufactures malt beverages and sells those malt beverages for on-site consumption, off-site consumption, and retail sale.

Brewery. The Term "Brewery" refers to an establishment **exceeding 10,000 square-feet in area** that manufactures malt beverages, but does not sell those malt beverages ~~at retail~~ **for on-site consumption**.

Building. The term "Building" refers to any structure having a single or common roof supported by columns or walls. The following definitions also relate to buildings:

A. **Building Height.** The term "Building height" means the vertical distance from the average grade level to the highest point of the structure.

B. **Building Line.** The term "Building line" means a line between any street right-of-way, either existing or future, and any building, or parts of a building or structures which may be erected or altered on a lot, parcel or tract of land.

~~C. **Main Building.** The term "Main building" means the principal building or one of the principal buildings on a lot, or a building or one of the principal buildings housing a principal use upon a lot.~~

~~D.~~**C. Public Building.** The term "Public building" means a building owned and operated, or owned and intended to be operated, by a public agency of the United States of America, of the State of Nevada, the county, or any political subdivision thereof.

~~E.~~**D. Building Site.** The term "Building site" means the ground area of a building or buildings, together with all open spaces which are required.

Building Department. The term "Building Department" refers to the department designated by the board to administrate building codes and other county functions, and enforce and administrate the county regulations of those functions.

Building Face. The term "Building Face" refers to all window and solid wall area of a building in one place or elevation.

Building Permit. The term "Building Permit" refers to a written approval issued by the county building official pursuant to the latest edition of the adopted building code by the county that authorizes construction of any building or structure.

Bulletin Board. The term "Bulletin Board" also known as a pin-board or notice board. This is a device where people can leave public messages. For example, to advertise things to buy or sell, announce events, or provide information to the public. These devices are often made of a material such as cork to facilitate addition and removal of messages. A chalk board, white board, electronic display, or similar type device that facilitates the same purpose or intent may be considered a bulletin board for the purpose of this title.

Butcher Shop. The term "Butcher Shop" refers to a custom retail meat cutting operation. This definition does not include slaughter houses but does include other accessory uses such as frozen food lockers.

Campground. The term "Campground" refers to a plot of ground upon which 2 or more campsites are located, established, or maintained for temporary transient living quarters for recreation, education, or vacation purposes. Also see "recreational vehicle Park".

Casino. The term "Casino" refers to any place where gaming is operated or maintained, except that "casino" may not be construed to include any place devoted to 15 or less slot machines or video gaming devices.

Cemetery. The term "Cemetery" refers to land used for burial of the dead, including columbariums, mausoleums, and mortuaries.

Changeable Copy Sign. The term "Changeable Copy Sign" refers to any sign in which the portrayed message or image can be changed without manually replacing the sign's face.

Childcare Facility. The term "Childcare Facility" refers to child daycare use and refers to the use of a building or a portion of the building for the care (day or night) of individuals less than 18 years of age. The use includes nursery schools, preschools, daycare centers, and similar uses, including those provided in a private dwelling but excluding those classified as "education facilities." For the purposes of this title, child daycare refers to services providing non-medical care to any number of children in need of personal services or supervision on less than a 24-hour basis.

Children's Camp. The term "Children's Camp" as used in NRS 444 means any land with permanent buildings, tents or other structures established or maintained as living quarters where both food and lodging or the facilities are provided for minors, operated continuously on a 24-hour basis for a period of 5 days or more each year for religious, recreational or vacation purposes, either free of charge or for a fee, but does not mean any camps

owned or leased for individual or family use, penal or correctional purposes, or places operated for the education, care or treatment of children.

Civic Holiday. The term "Civic Holiday" refers to any seasonal holiday officially recognized by the United States of America, the State of Nevada, or Storey County.

Coffee House. The term "Coffee House" (also includes "coffee shop") refers to a business establishment with the principal business of preparing and selling coffee, lattes, mochas, tea, or other non-alcoholic beverages for on-site and off-site consumption. The use may also include facilities for the purchase and consumption of light meals.

Columbarium. The term "Columbarium" refers to a room or building with niches in which funeral urns are stored.

Commercial, Convenience Store. The term "Commercial, Convenience Store" refers to a retail establishment that is principally devoted to providing the public with a convenient location to purchase consumable products quickly and in which the area open to the public is less than 5,000 square feet.

Commercial, Neighborhood Store or Shopping Center. The term "Commercial, Neighborhood Store or Shopping Center" refers to a commercial establishment or group of commercial establishments that: measures between 30,000 and 100,000 square feet in gross area; provides for the commercial sale of convenience goods (food, drugs, sundries, etc.) and personal services (laundry and personal dry cleaning, barbering, shoe repair, etc.) for the day-to-day living needs of the immediate area; and has a supermarket as the principal tenant. A typical example is a principal grocery supermarket grouped with or attached to secondary stores.

Commercial, Principal Grocery Store. The term "Commercial, Principal Grocery Store" refers to a commercial retail establishment that: measures between 5,000 and 30,000 square feet in gross area; is principally devoted to the sale of food for human consumption off the premises; and derives a substantial amount of its gross revenue from such sales, regardless of whether the store also derives revenue from the sale of non-food items.

Commercial, Regional Store or Shopping Center. The Term "Commercial, Regional Store or Shopping Center" refers to a commercial establishment or group of commercial establishments that: measures between 100,000 and 250,000 square feet in gross area; provides for the commercial sale of convenience goods (food, drugs, sundries, etc.) and personal services (laundry and dry cleaning, barbering, shoe repair, etc.) for the day-to-day living needs of the immediate area; and has a supermarket as the principal tenant. Typical examples include department stores, warehouse shopping clubs, "Big Box" retail stores (which may be grouped with or attached to secondary stores and non-retail services such as automobile service and fueling, as permitted in the zone).

Commercial, Shopping Center. The term "Commercial, Shopping Center" refers to a building or group of buildings housing two or more commercial businesses on a unified tract as opposed to a lease lot or parcel subdivided out of the

original larger shopping center parcel. Businesses within the shopping center are typically arranged as in-line tenants, operating under one banner as a pedestrian oriented environment or having common ingress and egress points. Its occupants provide or are intended to provide for the retail sale of goods and services to the public, including postal services, etc.

Commercial, Store. The term "Commercial, Store" refers to a freestanding commercial retail establishment that is not included as part of a shopping center.

Commercial, Super Regional Store or Shopping Center. The term "Commercial, Super Regional Store or Shopping Center" refers to a commercial establishment or group of commercial establishments that measures between 250,000 and 1,000,000 or more square feet in gross area and provides an extensive variety of general merchandise. These centers typically include one or more "anchor" department stores as principal tenants that generally have individual square footage of 100,000 square feet each.

Common Area. The term "Common Area" refers to a parcel or parcels of land or area of water or a combination of land and water with the site designated for a planned unit development that is designed and intended for the general use or enjoyment of the residents of residential developments and land occupants in commercial or industrial developments. Common area may contain complementary structures and improvements (clubhouses or social halls) necessary and appropriate for the benefit and enjoyment of the residents. Perimeter setbacks may be included in common area.

Community Center. The term "Community Center" refers to a public or quasi-public building designed for and used as a social, recreational, and cultural center. As part of such recreation centers, there may be included craft rooms, music rooms, game rooms, meeting rooms, and auditoriums, swimming pools, and kitchen facilities. Kitchen facilities and dining areas may be used for special events only.

~~**Community Development Department.** The term "Community Development Department" refers to the department designated by the board to administrate building, planning, and other county functions, and enforce and administrate the county regulations of those functions.~~

Community Garden. The term "Community Garden" refers to the growing or production of vegetables, fruit, and other produce not for profit and through collaborative community effort on private or public land. Accessory structures incidental to gardens such as protective fences, greenhouses, and other buildings below 200 square feet in area are also considered elements of community gardens.

Comstock Historic District. The term "Comstock Historic District" refers to the area within the boundaries set forth by NRS 384 and regulated pursuant to both that chapter and ~~chapter 17.48~~ **section 17.12.049** of the county code.

Condominium. The term "Condominium" refers to an estate in real property consisting of an undivided interest in common in portions of a parcel of real property together with: (a) a separate interest in space in a residential, industrial, or commercial building or industrial or commercial building on such real

property, such as, but not restricted to, an apartment, office or store; **and (b)** a separate interest in air space only, without any building or structure, to be used for a mobile home. A condominium may include in addition to a separate interest in other portions of such real property. The estate may, with respect to the duration of its enjoyment, be either an estate or inheritance or perpetual estate, and estate for life, or an estate for years.

Construction Sales and Services. The term "Construction Sales and Services" use refers to establishments or places of business primarily engaged in construction activities and incidental storage, but that are also engaged in the retail or wholesale sale from the premises of materials used in construction. This use does not include retail sales of paint, fixtures, and hardware, nor does it include other uses classified as automotive and equipment use. The use does not refer to actual construction sites. Examples of Construction Sales and Services use include businesses that sell or rent tools and equipment, as well as building material stores.

~~**Contractor Storage Yard.** The term "Contractor Storage Yard" refers to an area of land used for the storage of material or equipment used in the construction industry. (including landscaping and highway construction). For purposes of this title, a single vehicle used by the owner for the storage of small items of material and equipment used on a day-to-day basis in carrying out his trade or used by the owner for transportation purposes may not be classified as construction equipment.~~

Corrections Facility. The term "Corrections Facility" refers to a community correctional center, conservation camp, minimum security prison facility, or other place for the confinement, care, and training of persons convicted of crimes. The term does not include Corrections Institutions.

Corrections Facility, Private. The term "Corrections Facility, Private" refers to a Corrections Facility operated by a private organization.

Corrections Institution. The term "Corrections Institution" refers to a medium or maximum security prison facility designed for the confinement and care for persons convicted of crimes within a secure perimeter.

Corrections Institution, Private. The term "Corrections Institution, Private" refers to a Corrections Institution operated by a private organization.

Crematorium. The term "Crematorium" refers to a facility where a furnace is used to incinerate human or animal remains and reduce them to ashes.

Crisis Care Facility, Permanent. The term "Crisis Care Facility, Permanent" refers to a building or part of a building used principally (for more than 7 days in a 30-day period) to provide ~~temporary (less than 7 days in a 30-day period)~~ crisis intervention shelter for children and adults who are immediate victims of crime, abuse, or neglect. The term does not include homeless shelters.

Crisis Care Use, Temporary. The term "Crisis Care Use, Temporary" refers to a building or part of a building used temporarily (**7 or** less **days** ~~than 7 days~~ in a 30-day period) to provide ~~temporary (less than 7 days in a 30-day period)~~ crisis intervention shelter for children and adults who are immediate victims of crime, abuse, or neglect. The term does not include

homeless shelters. The use may include a private residence or other building used in accordance with this definition **and the applicable zones.**

Cultural and Library Services. The term "Cultural and Library Services" use refers to non-profit, museum-like preservation and exhibition of objects of permanent interest in any of the arts and sciences. Examples of such use include gallery exhibitions of artwork and library collections of books, manuscripts, etc., for study and reading.

Cupola. The term "Cupola" refers to an ornamental structure placed on the top of a larger roof or dome.

Dairy Farm. The term "Dairy Farm" refers to a type of indoor or outdoor commercial farm specializing in the raising of dairy cows for milk and dairy production.

Designee. The term "Designee" refers to a department, official, or employee of the county authorized by the Storey County Board of Commissioners to administer and enforce established certain county codes and regulations.

Development Agreement. The term "Development Agreement" refers to an agreement between a governing body and a party that has a legal or equitable interest in land largely or completely undeveloped that is entered into upon the application of the party wishing to develop the land. The purpose of such an agreement is to enable the governing body to distribute equitably the cost of developing infrastructure for the land. This cost distribution will be based on an analysis of the need for infrastructure prepared pursuant to NRS 278.

Directional Sign. The term "Directional Sign" refers to a directional sign which displays a type of service that is provided away from the local arterial or collector roadways and when the traveler must change direction from one public right-of-way to another to reach a business, event, or attraction. With exception of traffic regulatory devices installed by a governmental agency, directional signs may only be located where the traveler must change direction from one public right-of-way to another to reach the attraction for which the sign represents.

Director. The term "Director" refers to the director ~~of the community development department.~~ **of the planning, building, or other department as designated by the Board of County Commissioners.**

Distillery. The term "Distillery" refers to an establishment engaged in distillation of alcoholic beverages.

Docent. The term "Docent" refers to a casual teacher or lecturer who leads guided tours or shares popular knowledge and history with an open audience.

Dog Park. The term "Dog Park" refers to a public or private park where dogs may run off-leash within an area completely surrounded by a fence.

Dry Cleaning, Personal. The term "Dry Cleaning, Personal" refers to a facility of less than 5,000 square feet where customers drop off and pick up clothing or other textile articles for dry cleaning, dry dying, cleaning and spotting, and stain removing.

Dry Cleaning, Plant. The term "Dry Cleaning, Plant" refers to establishments primarily engaged in the provision of large-scale (5,000 square feet or more) dry cleaning, dry dying, and cleaning of clothing and other textile article.

~~**Dwelling.** The term "Dwelling" refers to any building or portion of a building used exclusively for permanent (thirty days or more) residential purposes. The term does not include hotels, clubs, boarding or rooming houses, corrections facilities and institutions, or health care institutions and facilities.~~

~~**Dwelling, Factory Built.** The term "Dwelling, Factory Built" refers to as provided for in NRS 278. A single-family dwelling includes factory-built housing that has been built in compliance with the standards for single-family residential dwellings of the building code most recently adopted by the International Conference of Building Officials. Factory-built housing is defined at NRS 461.080 as a residential building, dwelling unit or habitable room that is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with regulations adopted by the division, but does not include a mobile home or recreational vehicle park trailer.~~

~~**Dwelling, Manufactured Home.** The term "Dwelling, Manufactured Home" refers to as provided for in NRS 278. A single-family dwelling includes a manufactured home, defined at NRS 489.113 as a structure that 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 1 or more sections; and is 8 feet or more in body width or 40 feet or more in body length when transported or 320 square feet or more when erected on site. The term includes the plumbing, heating, air-conditioning, and electrical systems of the structure. The term also includes any structure built in compliance with the requirements of NRS 461, as well as any structure built in compliance with the requirements of NRS 489.113 and certified by the manufacturer to meet the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., as required by the Secretary of Housing and Urban Development. The term does not include a recreational vehicle or trailer.~~

~~**Dwelling, Multi-Family.** The term "Dwelling, Multi-Family" refers to a building designed or used to house multiple families living independently of each other. The term includes duplexes, triplexes, or fourplexes, but does not include row houses, townhouses, or apartment hotels.~~

~~**Dwelling, Row House.** The term "Dwelling, Row House" refers to a series of three or more dwelling units placed side-by-side, with no side yards between them. Each dwelling unit has a separate entry and is located on a separate building lot. Row houses usually have a party wall separating them (that is, a solid wall that is a shared structural part of the adjacent houses). In some instances, each dwelling unit has its own two side walls, and there may be approximately 1 inch of airspace or insulation between the dwellings.~~

~~**Dwelling, Single-Family**. The term "Dwelling, Single-Family" refers to a building used to house not more than 1 family or a group of not more than 4 unrelated persons living together and sharing a noncommercial single dwelling unit with common housekeeping facilities. The term includes factory-built housing and manufactured housing in compliance with NRS 278.~~

~~**Dwelling, Single-Family Attached.** The term "Dwelling, Single-Family Attached" refers to a single-family dwelling intended for occupancy by 1 family. This term includes "rowhouses", "townhouses", and "condominiums", but does not include "duplexes", "triplexes", "fourplexes", "apartment buildings", "rooming houses", and other multi-family dwellings.~~

~~**Dwelling, Single-Family Detached.** The term "Dwelling, Single-Family Detached" refers to a free-standing structure intended for occupancy by 1 family, and constructed on a separate building lot, that is owned in fee simple. Each building has a front yard, a rear yard, and two side yards.~~

~~**Dwelling, Townhouse.** The term "Dwelling, Townhouse" refers to a form of row housing that may utilize a combination of fee-simple and condominium land ownership. Unlike the "row house", the townhouse has fee-simple ownership on land in which the building is situated (i.e., the "footprint" of the building), plus a small amount of land for a private patio or yard. The remainder of the land surrounding the structures is used for attractively landscaped areas and recreational facilities. The land that surrounds the private buildings sits is jointly owned by the owners of all the buildings, usually in condominium ownership. It is maintained by a homeowners' association with funds from dues assessed to the property owners.~~

Dwelling Unit. ~~The term "Dwelling Unit" refers to a room or group of rooms providing living quarters for one family, including space for sleeping, cooking, eating, recreation, and sanitation.~~ The term "Dwelling **Unit**" refers to any building or portion of a building used exclusively **by one or more persons** for permanent (thirty days or more) residential purposes. **A dwelling unit must have, at a minimum, a permanent kitchen, and a bathroom with a bathtub or shower. A dwelling unit may also include habitable space for living, sleeping, and eating.** The term does not include hotels, ~~clubs,~~ **motels, b**oarding or rooming houses, **transient commercial lodging**, corrections facilities and institutions, or health care institutions and facilities.

Easement. The term "Easement" refers to an interest in real property that entitles the easement holder to use the land of another in a specified manner. A negative easement is an interest in real property that entitles the easement holder to prevent another from using land in a specified manner.

Electric Fence. The term "Electric Fence" refers to a barrier made of electrified metal material used as a means of protection or confinement.

Excavation. The term "Excavation" means the breaking of surface soil by physical or mechanical means.

Exploration. The term "Exploration" means any activity which involves disturbance of the existing environment, including core drilling, construction of access roads, excavation, blasting, seismic testing or similar activities conducted

while in search of mineral deposits, precious metals, gemstones, sand, gravel, stone or any other material to be mined or extracted.

Factory Built Building. The term "Dwelling, Factory Building" means a single-family dwelling built in accordance with NRS 461 and in compliance with the standards for single-family residential dwellings of the building code most recently adopted by the International Conference of Building Officials. Factory-built housing is defined at NRS 461.080 as a residential building, dwelling unit or habitable room that is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with regulations adopted by the division, but does not include a mobile home or recreational vehicle park trailer.

Fairground. The term "Fairground" refers to land devoted to entertainment on a seasonal or temporary basis, including grandstands, barns, and other accessory buildings normally associated with such use.

Family. The term "Family" means a group of individuals, not necessarily related by blood, marriage, adoption, or guardianship, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship proving organization and stability.

Farmer's Market. The term "Farmer's Market" refers to an indoor or outdoor area providing retail sales booths for numerous merchants of produce and plant life. Arts and crafts booths may be permitted as accessory to a produce or plant life booth. A flea market or open-air- market may not be considered a farmer's market.

Feed Store. The term "Feed Store" means a retail establishment that is principally devoted to the sale of food for domestic animal consumption off the premises and that derives a substantial amount of its gross revenue from such sales, regardless of whether the store is also devoted to or derives revenue from the sale of non-food items such as tack supplies.

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

Filming Activity. The term "Filming Activity" refers to the taking or making of any motion picture or still photograph, but not including the filming or photographing for news media purposes or filming or photography that is not for distribution or sale for commercial purposes. The term does not include filming or photography related to adult uses, adult themes, or other pornographic themes.

Final Map. The term "Final Map" refers to a map prepared in compliance with NRS 278 and the county code and placed on record in the office of the county recorder.

Firewood. The term "Firewood" refers to wood used as fuel.

Firewood Sales. The term "Firewood Sales" refers to the sale, barter, or trade of firewood.

First Amendment. The term "First Amendment" refers to an amendment of the United States Constitution guaranteeing the right of free expression. It includes

freedom of assembly, freedom of press, freedom of religion, and freedom of speech.

Flag Pole. The term "Flag Pole" refers to a pole on which a flag is raised; also called a flagstaff.

Flashing Light. The term "Flashing Light" refers to a rhythmic and arrhythmic light in which the total duration of light in each period is clearly shorter than the total duration of the dark.

Flea market. The term "Flea Market" refers to a building or outdoor area where secondhand goods, articles, and antiques are temporarily or intermittently offered for barter, trade, or retail sale to the general public. The term does not include garage or yard sales, or any other retail establishment otherwise defined or classified in this chapter.

Florescent Lighting. The term "Florescent Lighting" refers to a gas-charged source of light, sometimes in the form of a Compact Florescent Light (CFL), in which electricity is used to excite mercury vapors. The excited mercury atoms produce short-wave ultraviolet light that then causes a phosphor to fluoresce, producing visible light. Neon lighting (See definition for Neon Lighting.) will not be considered as florescent lighting for the purposes of the title.

Fortune Teller. The term "Fortune Teller" refers to 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 other compensation. Psychic arts and sciences include but are not limited to palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic and necromancy.

Fossil Fuels. The term "Fossil Fuels" includes non-renewable sources of energy, such as oil, coal, natural gas, and other naturally-occurring substances created from dead carbon-based organic material that has been deposited, compressed, decomposed, and fossilized over very long periods of time.

Fraternal Organization. The term "Fraternal Organization" also known as a "fraternity" refers to a group of people formally organized for a common interest, usually one based in culture, religion, or entertainment. Such organizations typically hold regular meetings, observe rituals, and establish formal written membership requirements.

Funeral Parlor. The term "Funeral Parlor" refers to a place of business devoted exclusively to activities related to the preparing and arranging for the funeral, transportation, and burial or other disposition of human deceased remains.

Game Farm. The term "Game Farm" refers to boarding or breeding of exotic animals generally considered wild or not normally domesticated.

Gaming. The term "Gaming" refers to all games of chance played for money or for checks or tokens redeemable in money, including those played on electric or mechanical devices such as slot machines.

Gaming Establishment. The term "Gaming Establishment" refers to any place where gaming is operated and maintained. "Gaming" or "gambling" means all games of chance played for money or for checks or tokens redeemable in

money, including those played on electric or mechanical devices such as slot machines.

Gaming, Limited. The term "Gaming, Limited" refers to an establishment that contains no more than fifteen slot or video gaming machines (and no other games or gaming devices), where the operation of the slot or video machine is incidental to the primary business of the establishment.

Gaming, Non-Restricted. The term "Gaming, Non-Restricted" refers to an establishment that is used or is intended to be used for the conducting of gaming activities for which a non-restricted gaming license is required. For example, the term includes any 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.

General Improvement District (GID). The term "General Improvement District (GID)" refers to a political subdivision organized or proposed to be organized pursuant to NRS 318.

Generator. The term "Generator" refers to a machine that converts mechanical energy from an internal combustion engine to electric energy.

Golf Course. The term "Golf Course" refers to a tract of land laid out for playing at least 9 holes of the game of golf and improved with trees, greens, fairways, and obstacle hazards. A golf course may include a clubhouse, driving range, and necessary and incidental structures.

Golf Course, Miniature. The term "Golf Course, Miniature" known as "miniature golf" refers to an area of land or a building, structure, or premises or any part, 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 it on a small scale. The term does not include a golf driving range.

Government Agency: The term "Government Agency" refers to an administrative unit of federal, state, or local government.

Government Services. The term "Government Services" use refers to all types of uses by federal, state, or local governments (including municipal corporations, general improvement districts, and other political subdivisions of federal, state or local governments). Typical uses include offices, courts, jails, maintenance yards, equipment or materials storage, and legislative facilities, but not those uses that are classified as major public facilities, safety services, or utility services.

Grade. The term "Grade" (ground level) is the average of the finished ground level at the center of all walls of a building.

Groundwater Recharge. The term "Groundwater Recharge" refers to the process by which water is transmitted underground to an aquifer.

Gun Repair. The term "Gun Repair" refers to the repair of firearms.

Gun Shooting Range. The term "Gun Shooting Range" refers to a facility for the sport of shooting at stationary or moving targets, including skeet shooting, to test skill and accuracy in rifle, pistol, or shotgun shooting. These facilities may be owned or operated by corporations, associations, or individuals.

Gun Show. The term "Gun Show" refers to a temporary (less than one week) indoor event at which ammunition and firearms, ranging from small handheld

pistols to large pieces of artillery, are displayed, exhibited, and sold to the general public.

Gun Store. The term "Gun Store" refers to a retail establishment where ammunition and firearms, ranging from small handheld pistols to large pieces of artillery, are displayed, exhibited, and sold to the general public.

Gunsmith. The term "Gunsmith" refers to a person who repairs or builds firearms. Gunsmith does not include industrial or large-scale manufacturing of firearms.

Guy Wire. The term "Guy Wire" refers to a tensioned cable designed to add stability to structures such as towers, wind turbines, utility poles, etc. One end of the cable is attached to the structure while the other end is anchored to the ground at a distance from the structure's base.

Guyed Tower. The term "Guyed Tower" refers to a monopole or lattice tower that is tied to the ground or other surface by diagonal cables known as guy wires.

Halfway House. The term "Halfway House" refers to a facility providing supervision or detention, or both, for residents making the transition from institutional to community living, or a facility for recovering alcohol and drug abusers as described by NRS 449.008. This classification includes pre-parole detention facilities and halfway houses for juvenile delinquents and adult offenders, and shelters for the homeless.

Hazardous Material. The term "Hazardous Material" refers to any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, **or is listed in the U.S. Department of Transportation Emergency Response Guidebook, Pipeline and Hazardous Materials Safety Administration guidebook, or** may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

Hazardous Waste. The term "Hazardous Waste" refers to a byproduct or remnant of an operation or process that is dangerous or potentially harmful to the health of humans, animals, or the environment. Hazardous wastes can be liquids, solids, gasses, or sludge.

Health Care Facilities. The term "Health Care Facilities" refers to a use type or establishment primarily engaged in the provision of health and medical services ranging from prevention, diagnosis, and treatment. Uses are categorized as follows:

A. **Civic Convalescent and Group Care Service.** The term "Civic Convalescent and Group Care Service" refers to a use type allowing uses listed under Convalescent Services and Group Care but also allowing the in-patient and out-patient treatment and rehabilitation for alcohol, drug, and substance abuse addiction;

B. **Continuum of Care Facilities for Seniors**. The term "Continuum of Care Facilities for Seniors" refers to establishments that provide range housing, activities, and health services to allow for adults to age in pace. Facilities may include independent living, assisted living, nursing care, and hospice care as well as accessory buildings for staff, and medical facilities and services for residents;

C. **Convalescent Services.** The term "Convalescent Services" refers to a use type referring to a provision of bed care and in-patient services for persons requiring regular medical attention, but excludes a facility providing surgical or emergency medical services and a facility providing care for alcohol, drug, and substance addiction.

D. **Group Care Services.** The term "Group Care Services" refers to care services provided in facilities that accommodate eleven or more persons who are not defined as a family, excluding caregivers and their family, halfway-houses for recovering alcohol, drug, and substance abusers, and those uses classified under hospital services. Typical uses include intermediate care facilities or senior citizen board and care homes.

E. **Hospital Services.** The term "Hospital Services" refers to medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, including ancillary facilities for out-patient and emergency medical services, diagnostic services, training, research, administration, and services to patients, employees, and visitors.

F. **Medical Services.** The term "Medical Services" refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis, and treatment, or rehabilitation services provided by physicians, dentists, nurses, and other health personnel as well as the provision of medical testing and analysis cervices. Typical uses include medical and primary care offices, dentist laboratories, health maintenance organizations, immediate care facilities, sports medicine facilities, acupuncture services, chiropractic services, and physical therapy.

Health Club. The term "Health Club" refers to a facility in which recreational athletic activities are performed, including but not limited to bodybuilding and exercise classes. A club may also provide associated facilities like saunas, solariums, and swimming pools.

Hedge. The term "Hedge" refers to a sight-obscuring fence-like boundary (of approximately 75 to 100 percent sight-obscuring density) formed by a dense row of shrubs or low growing mature trees.

Helipad. The term "Helipad" refers to areas on a roof or on the ground used by helicopters or other steep-gradient aircraft for the purpose of picking up or discharging passengers or cargo, but not including fueling service, maintenance or overhaul. This use is subject to applicable state and federal flight path and air space regulations and restrictions.

Heliport. The term "Heliport" refers to areas used by helicopters or other steep-gradient aircraft for takeoff and landing, maintenance, and storage. A heliport may include passenger and cargo facilities, maintenance and overhaul facilities, fueling services, storage space, tie-down space, hangars and other accessory buildings, and open space. This use is subject to applicable state and federal flight path and air space regulations and restrictions.

High Technology Industry. The term "High Technology Industry" use refers to research, development, and controlled production of high-technology electronic, industrial, or scientific products. Examples of this use include biotechnology firms and computer component manufacturers.

Historic, Archaeological and Cultural Sites. The term "Historic, Archaeological and Cultural Sites" refers to an area of land associated with history, tradition, archaeological findings, or the cultural heritage of the county as determined by the Nevada State Office of Historic Preservation.

Hog Farm. The term "Hog Farm" refers to a type of indoor and outdoor intensive agricultural use specializing in the raising of domestic pigs and hogs for breeding or slaughter.

Holiday: The term "Holiday" refers to official or unofficial observances of religious, national, or cultural significance, often accompanied by celebration or festivities.

~~**Home Occupation.**~~ **Home Enterprise**: The term "Home ~~Occupation~~ **Enterprise**" means a business within a principal residence or accessory structure to the principal residence that does not change the residential nature of the property or abutting residential uses. The use is incidental to the primary residential purpose, thus the residential character of the property is not changed. ~~Contractors conducting business out of a residence are excluded from this definition.~~

Homeless. The term "Homeless" refers to an individual who lacks a fixed, regular, and adequate nighttime residence; an individual whose primary nighttime residence is a supervised publically or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill and other persons); or a public or private place not designed for, or originally used as, a regular sleeping accommodation for human beings.

Homeowners Association. The term "Homeowner's Association" refers to a corporation responsible for the operation of a community or a mobile home subdivision in which the voting membership is made up of parcel owners or their agents, or a combination of both; membership is a mandatory condition of parcel ownership; and the corporation is authorized to impose assessments that, if unpaid, may become a lien on the parcel. The term does not include a general improvement district or other similar special taxing district created pursuant to NRS 318.

Hotel. The term "Hotel" refers to any transient commercial **lodging** use having two or more units providing for dwelling, living, or sleeping, as well as on-site parking for each unit. These units are intended primarily for transient use and may or may not provide cooking facilities.

Human Sign. The term "Human Sign" refers to any person who holds or wears a sign for the purpose of displaying a message or attracting attention to a business or service. Human signs are also known in the advertising industry or colloquially as sign walkers or sign twirlers. Frequently, the sign holder will spin, dance, or otherwise exhibit movement with the promotional sign in order to attract attention.

Inactive Permit. The term "Inactive Permit" means a permit issued by a federal, state, or county agency that expires, is not renewed, is revoked or suspended, or otherwise becomes null and void.

Indirect Illumination. The term "Indirect Illumination" refers to lighting or illumination of a place, structure, or object that employs the use of a concealed light source that is not visible when viewed upon at a horizontal plane.

Inflatable Sign. The term "Inflatable Sign" refers to a sign that is either expanded to its full dimension or supported by gasses contained within the sign, or sign parts, at pressure greater than atmospheric pressure.

Intersection: The term "Intersection" refers to a junction where two or more roads meet or cross at-grade, i.e. at the same level. A junction may also be called a "crossroads."

Interstate Highway. The term "Interstate Highway" refers to a roadway included in the Interstate Highway System, a network of limited-access highways (also called freeways or expressways) connecting the 48 contiguous states of the United States of America.

Jail. The term "Jail" refers to a facility owned and operated by Storey County, including the county jail and branch county jails, for the detention of prisoners in accordance with NRS 211.

Junk. The term "Junk" refers to any scrap, waste, reclaimable material, or debris, whether or not stored, for sale, or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

Kennel, Commercial. The term "Kennel, Commercial" refers to ~~animal~~ **dog** breeding with four or more ~~animals~~ **dogs**, boarding kennels and other kennel services, doggie day-care, pet motels, dog training centers, and ~~animal~~ **dog** shelters **with four or more dogs exceeding 12 weeks in age.**

Laboratories and Testing Services. The term "Laboratories and Testing Services" use refers to electronic, mechanical, biological, or other scientific or analytical testing, including the housing of animals, raising of plants, and other similar activities used in the testing process that do not fall under agricultural research use. Experimentation on any animals may only be conducted in the I-S Special Industrial Zone within adequately secured facilities.

Laser. The term "Laser" refers to an acronym for Light Amplification by Stimulated Emission of Radiation; an optical device that produces an intense monochromatic beam.

Laundromat. The term "Laundromat" refers to a building or structure where coin-operated laundry machines using only water, detergents, and additives are made available to the public for the purpose of laundry cleaning. Typical use includes coin-operated washers and dryers.

Laundry Services. The term "Laundry Services" refers to establishments primarily engaged in the provision of large-scale (l5,000 square feet or more) laundering, dry cleaning (see Dry Cleaning Plants), or dying services other than those classified as personal services. Examples of this use include laundry agencies, diaper services, and linen supply services.

Light Emitting Diode (LED). The term "Light Emitting Diode (LED)" refers to a semiconductor diode that emits light when voltage is applied.

Light Rail Infrastructure. The term "Light Rail Infrastructure" refers to facilities directly related and incidental to light rail transportation.

Lighted & Illuminated Signs. The term "Lighted & Illuminated Signs" refers to any sign that is directly or indirectly lighted by a source or sources of light.

Liquor Store. The term "Liquor Store" refers to a retail establishment where beers, wines, and spirits are sold to customers in their original packages.

Livestock Auction Yard. The term "Livestock Auction Yard" refers to a type of industrial agricultural use establishment primarily used for the sale of livestock by public auction, including the incidental temporary storage of livestock in conjunction with their sale.

Loading Area. The term "Loading Area" refers to a designated area or recessed driveway for delivery or pick-up of goods or people.

Lot. The term "Lot" refers to a parcel of land occupied or to be occupied by a building or group of buildings, together with yards, open spaces, lot width and lot area as required by this title, having frontage upon a street or private easement. A lot may be land recorded on a plat of record, or considered as a unit of property and described by metes and bounds, and which may include parts of or a combination of lots, when adjacent to one another, providing the grounds are used for one improvement. All lots must front or have ingress or egress by means of officially approved public right-of-way. The following definitions also apply to lots:

A. **Lot Area**. The term "Lot area" means the total horizontal area within the lot.

B. **Lot, Corner**. The term "Corner lot" means a lot abutting two intersecting streets, where the interior angle of intersection does not exceed one hundred thirty-five degrees.

C. **Lot, Interior**. The term "Interior lot" means a lot other than a corner lot.

D. **Lot, Through**. The term "Through lot" means a lot having frontage on two parallel or approximately parallel streets.

E. **Lot Line, Front**. The term "Front lot line" means the property line dividing a lot from a street. On a corner lot only 1 street line may be considered as a front line and the shorter street frontage will be considered the front lot line.

F. **Lot Line, Rear**. The term "Rear lot line" means the property line opposite the front lot line.

G. Lot Line, Side. "Side lot line" means any lot boundary not a front line or a rear lot line.

H. **Lot, Width of**. The term "Width of lot" means the horizontal distance between the side lot lines measured at right angles to the depth at the front yard setback line. The street frontage of a lot may be at least 80 percent of the required width.

Lumen. The term "Lumen" refers to the lumen (symbol: lm) which is the SI unit of luminous flux, a measure of the perceived power of light. Luminous flux differs from radiant flux, the measure of the total power of light emitted, in that luminous flux is adjusted to reflect the varying sensitivity of the human eye to different wavelengths of light. The lumen is defined in relation to the candela by 1 lm = 1 cd·sr.

Manufactured/Mobile Home Park. The term "Manufactured/Mobile Home Parks" refers to areas permitted only in approved zoning for mobile home parks

(MHP) and must comply with all requirements of the county code. Manufactured/mobile home parks may also be called a "land lease community."

Manufactured Home. The term "Manufactured Home" means a single-family dwelling defined by NRS 489.113 as a structure that 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 1 or more sections; and is 8 feet or more in body width or 40 feet or more in body length when transported or 320 square-feet or more when erected on site. The term includes the plumbing, heating, air-conditioning, and electrical systems of the structure. The term also includes any structure built in compliance with the requirements of NRS 461, as well as any structure built in compliance with the requirements of NRS 489.113 and certified by the manufacturer to meet the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., as required by the Secretary of Housing and Urban Development. The term does not include a recreational vehicle or trailer.

Massage Establishments. The term "Massage Establishments" use refers to fixed places of business where massage is administered for compensation or from which a massage business or service for compensation is operated. A Massage Establishment does not include establishments where massage is administered incidentally with any of the following:

A. The practice of a medical doctor, chiropractor, dentist, osteopath, physical therapist, or registered nurse;
B. A state-approved massage school;
C. An athletic club; or
D. A barber or beauty salon.

For the above establishments listed in "A" thru "D," the term "incidental" is defined as not being more than 15 percent of net floor space used for massage activity, and not more than 15 percent of gross revenue derived from massage activity. No adult entertainment, escort services, or adult book, materials, or video sales, rentals, or uses are allowed in a massage establishment.

Micro-Brewery. The term "Micro-Brewery" also known as a "Brew Pub" refers to an establishment **that is 10,000 square-feet or less in area** that manufactures malt beverages and sells those malt beverages for on-site consumption, off-site consumption, and retail sale.

Micro-Distillery. The term "Micro-Distillery" refers to an establishment that is 10,000 square-feet or less in area that manufactures distilled alcoholic spirits and sells those distilled alcoholic spirits for on-site consumption, off-site consumption, and retail sale.

Micro-Winery. The term "Micro-Winery" refers to an establishment that is 10,000 square-feet or less in area that manufactures wine and sells that wine for on-site consumption, off-site consumption, and retail sale. This

term applies whether the wine is manufactured from grapes or other substances originating on-site or off-site, and whether on-site consumption is for tastings or general consumption.

Mining or Extraction Operation. The term "Mining or Extraction Operation" refers to the extraction of minerals, precious metals, whether by underground or surface methods. Materials extracted may or may not require milling or finishing on or in the proximity of the extraction site. The term does not include "aggregate facilities" as defined in this chapter.

Mobile Home. The term "Mobile Home" refers to a vehicular structure, built before 1976, constructed on a chassis or frame, which is designed to be used with or without a permanent foundation and, in its initial configuration, is designed to be capable in whole or part of being drawn by a motor vehicle. It may be used as a dwelling when connected to utilities or may be used permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services. The size is eight feet or more in body width or forty feet or more in body length when transported, or when erected on site, and contains 320 square feet in area or more. The term includes the plumbing, heating, air-conditioning and electrical systems of the structure. The term does not include a manufactured building, manufactured home, or a travel trailer.

Mobility Scooter. The term "Mobility Scooter" refers to mobility aid similar to a wheelchair, but configured like a motor scooter. These devices are generally used by persons with physical disabilities.

Mobile Sign. The term "Mobile Sign" refers to advertising devices that are affixed to a frame or chassis having wheels and capable of being carried, or otherwise portable and designed to stand free from a building or other structure and fulfill the purpose of advertising. Mere removal of wheels or temporary securing of the mobile sign to the surface of real estate does not change the device to free-standing sign. Mere identification of a business or service on an associated utility vehicle will not be considered a mobile sign.

Monopole. The term "Monopole" refers to a type of structure or mount of a single shaft of wood, steel, or concrete that is self-supporting or guyed.

Mortuary. The term "Mortuary" refers to a facility in which bodies are prepared for burial or cremation and where funeral services are conducted.

Motel. The term "Motel" refers to any transient commercial **lodging** use having 2 or more units providing for dwelling, living or sleeping therein, with or without cooking facilities, primarily intended for transient use, and having individual on-site parking areas allocated to each unit.

Motor Vehicle. An automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle designed for running on land but not on rails.

Multi-Family Dwelling. The term "Multi-Family Dwelling" refers to a building designed or used to house multiple families living independently of each other. The term includes duplexes, triplexes, or fourplexes, but does not include row houses, townhouses, or apartment hotels.

Multi-Modal Transit Hub. The term "Multi-Modal Transit Hub" refers to a centralized area or facility in which 2 or more converging modes of ground

transportation, including trains, light rail, bus, taxi service, automobiles, etc., arrive and depart. Ancillary uses may include passenger and freight loading and unloading, parking areas, luggage claim and handling, passenger waiting area, and restrooms.

Multi-Tenant Shopping Center. The term "Multi-Tenant Shopping Center" refers to stores and businesses that face a system of enclosed walkways and are located on a single parcel or piece of land.

Mural. The term "Mural" refers to non-commercial images such as paintings or enlarged photographs applied directly onto walls and ceilings. They are usually but not always large in size. Murals typically exhibit few or no words and are not intended to advertise or otherwise bring attention to any attraction. Non-commercial images oftentimes are intended to enhance an area's beauty, highlight the community's social or historical character, or otherwise depict a message or theme that is common to the immediate community in which they are displayed.

Museum. The term "Museum" refers to a building that has public significance by reason of its architecture, its former use or occupancy, or its use as a repository for a collection of natural, scientific, literary, or artistic curiosities or objects of interest and that is arranged, intended, and designed for public viewing, with or without an admission charge. A museum may also engage in, as an accessory use, the sale of museum-related goods to the public, such as in a museum gift shop.

NAC. The term "NAC" refers to the Nevada Administrative Code.

Neon Lighting. The term "Neon Lighting" refers to any sign that employs the use of a small electrical current (AC or DC) that is allowed through a tube, causing it to glow. Neon lighting also includes devices that use Argon, Helium, Krypton, Xenon, or any other substance or periodic element that produces a similar illumination effect. Florescent lighting (See definition for Florescent Lighting.) is not considered as neon lighting for the purposes of the title.

Net Metering. The term "Net Metering" as regulated by NRS 704, is a practice in which electricity generated by a customer-generator through the use of renewable energy generating systems may be fed back to a public utility in order to offset the customer's use of electricity supplied by the utility during an applicable billing period.

Nightclub. The term "Nightclub" refers to a commercial establishment dispensing alcoholic beverages for consumption on the premises, typically requiring an entrance fee or cover charge, and where dancing and musical entertainment are provided on a regular basis.

Nonconforming Building or Structure. The term "Nonconforming Building or Structure" refers to a building or structure or portion thereof, lawfully existing at the time of adoption of this title and which does not conform to all the current height, area, yard, or other regulations prescribed in the zone in which it is located.

Nonconforming Use. The term "Nonconforming Use" refers to the lawful use of a building or land at the time of the adoption of this title and which does not conform to the current regulations of the zone in which it is located.

Non-Renewable Energy. The term "Non-Renewable Energy" refers to energy that is derived from non-renewable resources such as coal, gas, petroleum, and fossil fuels.

Noxious Weeds. The term "Noxious Weeds" refers to plant species identified by NRS 555 as being "noxious" or "invasive."

NRS. The term "NRS" refers to the Nevada Revised Statutes.

Nursery Sales - Retail. The term "Nursery Sales – Retail" refers to the retail sale of plants, flowers, and related nursery items. Examples of this use include retail nurseries and home garden stores.

Nursery Sales. Wholesale. The term "Nursery Sales – Wholesale" refers to the wholesaling of plants and flowers, with incidental retail sales. A wholesale nursery is an example of this use.

Office Building. The term "Office Building" refers to a building used primarily for conducting the affairs of a business, profession, service, industry, or government and that may include ancillary services for office workers, such as restaurants, newsstands, or other minor commercial establishments.

Off-Site. The term "Off-Site" in the context of land use refers to areas or activities located at a site other than the specific site where the particular use is permitted.

On-Site. The term "On-Site" in the context of land use refers to areas or activities located at the same site where the particular use is permitted.

Open Air Market. The term "Open Air Market" use refers to an outdoor area where secondhand goods, articles, or antiques are temporarily or intermittently offered for barter, trade, or retail sale to the general public. This use includes the display or sale of merchandise from, or in connection with, a truck, trailer, or movable building of any type, but does not include garage or yards sales, or any other retail establishment otherwise defined or classified in this chapter.

Open Storage. The term "Open Storage" refers to a significant portion of a lot or area used for the long-term retention (more than 72 hours) of materials, machinery, trailers, inoperable or unregistered vehicles, or equipment outside of a permanent building, regardless of whether the items 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 operable registered vehicles for residents, guests, customers, or employees in connection with a principal use.

Operator. The term "Operator" refers to any person or organization responsible for and having the legal right to operate, control or supervise a mining or extraction operation.

Outdoor Advertisement. The term "Outdoor Advertisement" refers to any form of advertisement or display, whether temporary or permanent, that takes place on or within the exterior of a building or an outdoor area.

~~**Outdoor Storage.** The term "Outdoor Storage" refers to use of a significant portion of a lot or area for the long-term retention (more than 72 hours) of materials, 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. The term "Overlay Zone" refers to a zoning district that is imposed on one or more underlying base zoning districts and that provides additional requirements and limitations beyond those required by the underlying zoning district.

Paper Sign. The term "Paper Sign" refers to a sign made from any kind of paper stock including, but not limited to, construction paper and cardboard.

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

Parking Space. The term "Parking Space" refers to a space within a building, lot or parking lot for the parking or storage of one automobile. The space must be at least 9 feet by 18.5 feet in dimension, exclusive of drives, streets, alleys, or aisles giving ingress and egress thereto.

Pedestrian. The term "Pedestrian" refers to a person who travels by foot.

Permanent Cosmetics. The term "Permanent Cosmetics" means the application of pigments to or under the skin of a person, using ink or other substances that result in permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This term includes, but is not limited to, eyebrows, eyeliner, and lip color.

Permit. The term "Permit" refers to a legal document, certification, or license giving permission to do something (e.g., building or grading permit, or business license).

Pet Cemetery. The term "Pet Cemetery" use refers to services involving the preparation of dead animals for burial and the keeping of animal bodies on cemetery grounds.

Pharmacy. The term "Pharmacy" refers to a store or shop licensed by the Nevada State Board of Pharmacy where drugs, controlled substances, poisons, medicines, or chemicals (not including marijuana and related products) are stored, displayed, possessed, compounded, dispensed, or sold at retail. The term does not include an institutional pharmacy as defined by NRS 639. The storage, possession, dispensing, or display for sale or retail of "medicinal marijuana" or any other substance found to be illegal by the State of Nevada or United States of America is not considered a pharmaceutical use and is prohibited.

Planned Unit Development. The term "Planned Unit Development" means an area of land controlled by 1 landowner, that is developed as a single entity for 1 or more planned unit residential developments, 1 or more public, quasi-public, commercial, or industrial developments, or both.

Planned Unit Development, Commercial. The term "Planned Unit Development, Commercial" means a planned unit development in which 75 percent or more of the developable area is devoted to commercial uses.

Planned Unit Development, Industrial. The term "Planned Unit Development, Industrial" means a planned unit development in which at least 90 percent of the developable area is devoted to industrial uses. Up to 10 percent of an industrial PUD's developable area may be devoted to commercial uses.

Planned Unit Development, Residential. The term "Planned Unit Development, Residential" means a planned unit development in which 75 percent or more of the developable area is devoted to residential uses.

Planning Department. The term "Planning Department" refers to the department designated by the board to administrate this title and other land use planning codes and other county functions, and enforce and administrate the county regulations of those functions.

Political Sign. The term "Political Sign" refers to a sign, display, or device that expresses the support for or opposition to a candidate, political party, or ballot question, or otherwise relates to a political campaign or election (NRS 405.030).

Postal Services. The term "Postal Services" use refers to mailing services such as those provided by the United States Postal Service, including branch post offices and public and private facilities. The term does not include major postal service processing facilities.

Pot-Belly Pig. The term "Pot-Belly Pig" refers to a ~~pig or hog classified as sus scrofa jubatus Muller, or Sus scrofa (cristatus) vittatus, and commonly referred to as a~~ **domesticated** Vietnamese, **Chinese, or Asian** pot-bellied **or pot-belly** pygmy pig or mini-pig, that stands no higher than 20 inches at the shoulder~~, is no longer than 40 inches from the tip of the head to the end of the buttocks,~~ and weighs no more than ~~120~~ **50** pounds.

Premises. The term "Premises" refers to the contiguous land in the same ownership or control that is not divided by a street.

Primitive Area. The term "Primitive Area" refers to an area of undisturbed natural environment which may be considered as wilderness area with limited recreational use.

Principal Building. The term "Principal Building" means the main or primary building or the main buildings on a lot, or a building or one of the main buildings housing a principal use upon a lot.

Dwelling, Principal. The term "Principal Dwelling" means the main or primary residential dwelling on the lot which is not accessory to any other use.

Principal Residence. The term "Principal Residence" means the main or primary residential use on the lot which is not accessory to any other use.

Professional Building. The term "Professional Building" refers to a structure used for rendering professional services to individuals and businesses on a fee or contract basis. Examples of this use include banks, financial institutions, stock brokerages, advertising agencies, employment services, and title companies.

Prohibited Use. The term "Prohibited Use" refers to a use that is not permitted by any means in a particular zoning district.

Project Area. The term "Project Area" refers to a single tract of land, mining claim, or group of mining claims upon which an operator is, or will be, conducting operations.

Projection Sign. The term "Projection Sign" refers to any sign that employs the use of a device (e.g., LCD Projector) that projects a lighted image or animation onto an outdoor wall or other surface. A projection that is associated with a permitted outdoor theater (i.e., drive-in movie theater) or permitted temporary outdoor theater event is not be considered a Projection Sign for the purposes of this Ordinance.

Public Place. The term "Public Place" refers to an area or place that is open and accessible to all citizens, regardless of gender, race, ethnicity, age, etc. Examples include, but are not limited to, public right-of-ways, parks, government buildings, schools, libraries, and other buildings and structures providing service to persons of the public.

Public Right-of-Way. The term "Public Right-of-Way" refers to a strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public traveled ways, highways, sidewalks, boardwalks, bicycle lanes, equestrian and pedestrian trails, or other transportation related improvements.

Public Travelled Way. The term "Public Travelled Way" refers to the entire width between the boundary line of every way (measured from the curbs or edges of paved or graveled roadways) maintained by a public authority and that is open to public use for the purpose of vehicular or other mechanized transit traffic.

Public Use. The term "Public Use" refers to a publicly owned structure or parcel of land or a recognized 501(c)3 non-profit organization that is permitted to take place within a publicly owned structure or parcel of land.

Public Utility. The term "Public Utility" refers to any business or utility that the Public Utilities Commission of the State of Nevada is authorized to regulate pursuant to NRS 704.

Public Utility Right-of-Way. The term "Public Utility Right-of-Way" refers to a strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public utilities such as waterlines, sanitary sewers, communication infrastructures, electricity transmission lines, but not including transportation related facilities applicable to the Public Right-of-Way.

Radio Controlled (RC) Vehicles. The term "Radio Controlled (RC) Vehicles" refers to an unmanned recreational hobby device controlled remotely, including radio-controlled cars and trucks, aircraft, and watercraft, but not including unmanned drones, reconnaissance craft, or other non-recreational devices.

Railroad or Railway. The term "Railroad or Railway" refers to any track on which the wheels of a vehicle may run; transport via locomotive; to convey by train.

Real-Estate For-Sale Sign. The term "Real-Estate For-Sale Sign" refers to a sign indicating that a property or any portion on which the sign is located is

available for inspection, sale, lease, or rent. A commercial advertisement sign indicating the presence of a real-estate office or service is not to be considered a real estate sign.

Real-Estate Office. The term "Real-Estate Office" refers to a permanent or temporary administrative office space in which private real-estate firms or organizations conduct real-estate business.

Recreational Vehicle. The term "Recreational Vehicle" refers to a vehicular-type structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreation, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park. The term "Recreational Vehicle Park" refers to any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Religious Institution. The term "Religious Institution" refers to any building used for religious worship services, religious education and fellowship activities, or programs of a religious organization. The term includes the use of the building and premises for activities such as childcare, formal educational programs, preschool classes, and recreational activities; provided that these activities must be ancillary to the religious use and a special use permit is required as provided in this title. The term does not include general child care facilities, general education classrooms or facilities, thrift shops, homeless shelters, or buildings used for commercial activities.

Renewable Energy. The term "Renewable Energy" refers to energy that is derived from renewable resources such as geothermal, hydrological, solar, and wind.

Resort. The term "Resort" refers to a group or groups of buildings containing more than five dwelling units 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. At least 15 percent of its land area must be devoted to usable open space in addition to required landscaping.

Rest Area. The term "Rest Area" refers to a designated paved or unpaved area beside a main road where cars and other vehicles can stop temporarily.

Restaurant. The term "Restaurant" refers to an establishment principally engaged in the business of preparing and selling meals in an unpackaged, ready-to-consume state in non-disposable containers to customers who consume the meals seated at a table on the restaurant premises. Alcoholic beverages may be served accessory to food service in a restaurant.

Restaurant, Fast Food. The term "Restaurant, Fast Food" refers to an establishment that offers quick food and non-alcoholic drink service, accomplished through a limited menu of items that are readymade, or quickly prepared, fried, griddled, or heated in a device such as a microwave oven. Orders are

generally taken and dispensed at a counter, parking stall, or drive-through window rather than at a table.

Re-Vegetation. The term "Re-Vegetation" refers to the stabilization of disturbed or graded soils and land by replanting with indigenous or non-invasive plant species.

Right-of-Way. The term "Right-of Way" refers to areas of land legally designated and used for a road or sidewalk, including the side of the roadway or sidewalks.

Roadside Parks and Rest Areas. The term "Roadside Parks and Rest Areas" refers to a public facility located next to a large thoroughfare such as a highway, expressway, or freeway at which drivers and passengers can rest, eat, or refuel without exiting onto secondary roads.

Rodeo Arenas. The term "Rodeo Arena" refers to any activity involving the exhibition or competition of the traditional skills of cowboys, such as riding of rough stock, roping, and timed events, as well as equestrian events including training, exercise, handling, competition, and exhibition of horses.

Roof. The term "Roof" refers to a covering on the uppermost part of a building or structure that protects the building or structure and its contents from the effects of weather and other natural outdoor elements.

Rowhouse. The term "Rowhouse" refers to a series of three or more dwelling units placed side-by-side, with no side yards between them. Each dwelling unit has a separate entry and is located on a separate building lot with fee-simple ownership with little or no common interest land ownership. Row houses usually have a common wall separating them (that is, a solid wall that is a shared structural part of the adjacent houses). In some instances, each dwelling unit has its own two side walls, and there may be approximately 1 inch of airspace or insulation between the dwellings.

Saloon. The term "Saloon" refers to an establishment serving alcoholic beverages for consumption on the premises.

Salvage and Reclamation. The term "Salvage and Reclamation" refers to a facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment that 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.

Sandwich Board Sign. The term "Sandwich Board Sign" refers to a portable sign typically consisting of large boards bearing placards, hinged at the top by straps or other flexible mechanisms.

Scenery. The term "Scenery" refers to a view or views of natural features and vistas, especially in open natural environments.

Scenic Resource. The term "Scenic Resource" refers to a natural setting in combination with certain undisturbed physical qualities such as streams, rivers, rock outcroppings, vegetation, or outstanding scenic features.

Schools and Educational Uses. The term "Schools and Educational Use" includes—whether public, private, or parochial—elementary, middle, and high

schools and academies (K-12), colleges and higher education institutions, technical and vocational schools, and apprentice training, including:

A. K-12 schools in which children and teenagers (usually up to 17 years of age) are provided academic education;
B. Colleges, universities, and educational institutions for higher learning, including undergraduate colleges and graduate schools in various disciplines such as medical, law, and other professional specialties;
C. Trade schools for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machine operating, or other similar trade or craft that requires the use of large equipment, outdoor training activities, or both;
D. Vocational schools and institutions that specialize in teaching a specific skill, especially a practical vocation, including, but not limited to, business, dance, music, martial arts, trade, or driving. The term includes a school where student classes are relayed to a remote location, with limited student time spent at the physical location of the school or institution.

Screening. The term "Screening" refers to a permanent method of visually screening or obscuring a structure or use from the view of any abutting property, sidewalk, or roadway.

Seasonal Holiday Sales and Use. The term "Seasonal Holiday Sales and Use" (less than 60 days in a 1-year period) refers to a piece of land for activities associated with the holidays, including corn mazes, haunted houses, skating rinks, Santa Clause visits, nativity displays, caroling, etc. This use also includes the retail sale of seasonal holiday celebratory symbols such as Halloween pumpkins, Christmas trees, Hanukkah bushes, etc.

Setback Area. The term "Setback Area" refers to an open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. The following definitions also apply to the following required setback areas:

A. **Setback Area, Front**. The term "Setback Area, Front" refers to an open space on the same lot with a building, extending between the front line of the building and the front lot line and extending across the full width of the lot. The depth of the front setback area is the minimum distance between the front lot line and the nearest exterior wall of the building, the front of a bay window or the front of a covered porch, or other similar projections, whichever is nearest the front lot line.
B. **Setback Area, Rear**. The term "Setback Area, Rear refers to an open space extending across the full width of the lot between the most rear main building and rear lot line. The depth of the required rear setback area will be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line
C. **Setback Area, Side**. The term "Setback Area, Side" refers to an open space between the main building and the side lot line and extending from the front setback area to the rear setback area.

Sign. The term "Sign" refers to any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or

pennant); or lights or any combination that is designed, intended, or used to advertise, attract special attention, or otherwise inform when any part of the advertising or information content is visible from an outdoor area.

Searchlight. The term "Searchlight" refers to a light source with reflectors that projects a beam of light in a particular direction or many directions.

Secretary of Transportation (23 U.S.C. Section 131). The term "Secretary of Transportation" refers to the person who holds the Secretaryship of the United States Department of Transportation.

Sign Holder. The term "Sign Holder" known as a "human directional" in the advertising industry, or colloquially as sign walkers or sign twirlers. Frequently, they will spin or dance with the promotional sign in order to attract attention.

Similar Use. Where a specific use is cited, the term "Similar Use" is any use that has the same characteristics as the cited use in terms of trip generation and type of traffic, parking, and circulation, utility demands, environmental impacts, physical space needs and clientele, and other land use impacts, as determined by the board with action by the planning commission to be consistent with the allowed uses within the zone.

Single-Family Dwelling. The term "Single-Family Dwelling" refers to a building used to house not more than 1 family or a group of not more than 4 unrelated persons living together and sharing a noncommercial single dwelling unit with common housekeeping facilities. The term includes factory built homes and manufactured home in compliance with NRS 278, 461, and 489.

Single-Family Dwelling, Attached. The term "Single-Family Dwelling, Attached" refers to a single-family dwelling intended for occupancy by 1 family. This term includes "rowhouses", "townhouses", "twinhomes", and "condominiums", but does not include "duplexes", "triplexes", "fourplexes", "apartment buildings", "rooming houses", and other multi-family dwellings.

Single-Family Dwelling, Detached. The term "Single-Family Dwelling, Detached" refers to a free-standing structure intended for occupancy by 1 family, and constructed on a separate building lot, that is owned in fee simple. Each building has a front yard, a rear yard, and two side yards.

Skateboard. The term "Skateboard" refers to a tandem or in-line set of wheels mounted on a board.

Skateboard Park. The term "Skateboard Park" refers to a park or part of a park with paths, slopes, structures, jumps, and other areas open to the public that are designated for use with a skateboard, roller skates, a bicycle, or a scooter.

Skating Rink. The term "Skating Rink" refers to an indoor or outdoor facility, open to the public, where roller skating, rollerblading, or ice skating or uses associated therewith and may be conducted. The term does not include skateboard parks or associated uses.

Solid Waste. The term "Solid Waste" refers to all putrescible and non-putrescible refuse in solid or semisolid form, including, but not limited to, garbage, rubbish, junk vehicles (not including "junkyards"), ashes, incinerator residue, street refuse, dead animals, demolition waste, construction waste, and solid or

semisolid commercial and industrial waste. The term does not include hazardous waste managed pursuant to NRS 459.

Solid Waste Collection Center. The term "Solid Waste Collection Center" refers to a facility used for the collection and temporary storage of municipal solid wastes within enclosed bins or storage containers. The term does not include solid waste transfer stations, solid waste landfills, or facilities involving infectious or hazardous wastes.

Solid Waste Landfill. The term "Solid Waste Landfill" refers to any place, including municipal and regional facilities, where solid waste is permanently dumped, abandoned, accepted, or disposed of by incineration, land filling, composting, or any other method in accordance with NRS 444.

Solid Waste Recycling Center. The term "Solid Waste Recycling Center" refers to a facility designed and operated to receive, store, process, or transfer recyclable material that has been separated at the source from other solid waste.

Solid Waste Recycling Collection Center. The term "Solid Waste Recycling Collection Center" refers to a totally enclosed structure or container where plastic, aluminum, glass, paper, clothing, or other recoverable resources are collected and stored for later pick up and recycling.

Solid Waste Transfer Stations. The term "Solid Waste Transfer Station" refers to a fixed facility where solid wastes from collection vehicles are consolidated and temporarily stored outside of containers but within an enclosed facility for subsequent transport to a permanent disposal site. This use does not include facilities involving infectious or hazardous wastes.

Special Event. The term "Special Event" refers to any planned activity not part of a normal routine business license that would require county services and resources and that will impact the county and its citizens. Special events include, but are not limited to, promotional and fund-raising activities, athletic or sports events, live musical events, community celebrations and observances, and similar uses.

Special Use Permit. The term "Special Use Permit" refers to a specific discretionary approval for a use that has been determined to have unique circumstances, be more intense, or to have a potentially greater impact than an allowed use within the same zoning district.

Stockyards. The term "Stockyards" refers to establishments primarily used for the keeping, sale, and display of livestock by public auction, including the incidental temporary storage of livestock in conjunction with their sale or use.

Story. The term "Story" refers to the space within a building included between the surface of any floor and the surface of the ceiling next above.

Streamer. The term "Streamer" refers to a long narrow strip of material used for ornament, decoration, or to attract attention to a particular place, business, event, or object.

Street. The term "Street" refers to a thoroughfare that has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare that

has been made public by right of use and that affords the principal means of access to abutting property.

Structure. The term "Structure" refers to any building, fence, tower, edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite form which requires location on the ground or is attached to something having a location on the ground.

Supplementary Restraint System. The term "Supplementary Restraint System" refers to an automobile safety device, also known as an "air bag," consisting of a bag designed to inflate automatically during a vehicular collision.

Surety. The term "Surety" refers to a corporation authorized to transact surety business in the State of Nevada pursuant to NRS 679 that is included in the United States Department of the Treasury's Listing of Approved Sureties and issues a surety bond pursuant to NRS 108 that does not exceed the underwriting limitations established for that surety by the United States Department of the Treasury.

Surety Bond. The term "Surety Bond" refers to a bond issued by a surety for the release of a prospective or existing lien pursuant to NRS 108.

Tattoo Facility. The term "Tattoo Facility" (also known as a "Tattoo Parlor") refers to an establishment that places permanent 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, including permanent cosmetics, by means of the use of needles or other instruments designed to contact or puncture the skin.

Tavern. The term "Tavern" refers to an establishment serving alcoholic beverages for consumption on the premises.

Temporary. The term "Temporary" refers to impermanent; not permanent; not lasting.

Temporary Batch Plant. The term "Temporary Batch Plant" refers to a temporary (lasting less than 1 year) facility for mixing asphalt or concrete.

Temporary Sign or Banner. The term "Temporary Sign or Banner" refers to any sign or banner governed by the provisions of chapter 17.84 that is displayed for a period of time not exceeding 30 consecutive or non-consecutive days in a 12-month period of time.

Tentative Map. The term "Tentative Map" refers to a map made to show the design of a proposed subdivision and the existing conditions around it as pursuant to NRS 278.

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

Theme Park. The term "Theme Park" refers to an entertainment or amusement park built around one or more themes and typically including amusement rides.

Tower. The term "Tower" refers to a structure or mast that is exceptionally high in proportion to its width and length and is free-standing, guyed, or fixed to a roof, side of a building, or a structure other than a building, and is generally intended to support devices including, but not limited to, antennas, transmitters, relay wireless communications, wind energy turbines, sensors, water tanks, sound or light emitting devices, etc.

Tower, Lattice. The term "Lattice Tower" refers to a structure, mast, or tower that consists of an open network of braces forming a support structure that is usually but not always triangular or square in cross section and is free-standing, guyed, or fixed to a roof, side of a building, or a structure other than a building.

Tower, Monopole. The term "Monopole Tower" refers to a structure, mast, or tower that consists of a vertical pole that is freestanding, guyed, or fixed to a roof, side of a building, or a structure other than a building.

Townhouse. The term "Townhouse" refers to a form of row housing that may utilize a combination of fee-simple and condominium land ownership. Unlike the "row house", the townhouse has fee-simple ownership on land in which the building is situated (i.e., the "footprint" of the building), plus a small amount of land for a private patio or yard. The remainder of the land surrounding the structures is used for attractively landscaped areas and recreational facilities. The land that surrounds the private buildings sits is jointly owned by the owners of all the buildings, usually in condominium ownership. It is maintained by a homeowners' association with funds from dues assessed to the property owners.

Trailer. The term "Trailer" refers to an individual mobile but not self-motive structure or facility so constructed and designed as to permit occupancy for dwelling or sleeping purposes for short or long periods of time. They are usually intended for more mobile use than a mobile home.

Transient Commercial Lodging ~~Use~~. The term "Transient Commercial ~~Use~~ Lodging" refers to the use of a unit, for remuneration, as a hostel, hotel, inn, motel, resort, vacation rental, or other form of transient lodging for a term of occupancy, possession, or use of the unit or dwelling of less than 30 consecutive calendar days.

Travel Trailer. The term "Travel Trailer" refers to a portable vehicle built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation uses. When factory equipped for the road, it must have a body width of not more than 8 feet and a body length of not more than 45 feet.

Truck and Equipment, Repair. The term "Truck and Equipment, Repair" refers to an establishment devoted principally to the repair of large trucks, recreational vehicles, tractors, and equipment together with the sale, installation, and servicing of associated equipment and parts. Examples of this use include muffler shops, repair garages, glass shops, and similar establishments.

Truck and Equipment, Sales and Rentals. The term "Truck and Equipment, Sales and Rentals" refers to an establishment engaged in the on-site sales or rentals of large trucks, recreational vehicles, tractors, and equipment together with incidental repair, maintenance, washing, and detailing. Examples of this use include dealerships and rental agencies.

Truck and Equipment, Service Station. The term "Truck and Equipment, Service Station", also known as a "truck stop," refers to an establishment where large trucks, recreational vehicles, tractors, and equipment are fueled or serviced. Examples of this use include the sale of gasoline and petroleum products, service station work, and incidental sales of tires, batteries,

replacement items, lubricating services, and minor repair services. A truck and equipment service station may be combined with a convenience store or other commercial uses permitted in the zone. A convenience store located within a truck stop may include retail area open to the public that is less than 5,000 square feet in area.

Truck and Equipment, Washing and Detailing. The term "Truck and Equipment, Washing and Detailing" refers to washing, detailing, waxing, or cleaning of large trucks, recreational vehicles, tractors, and equipment. Facilities may use manual washing methods (including coin-operated) or conveyor mechanisms.

Truck and Railroad Terminals. The term "Truck and Railroad Terminals" use refers to freight terminals for goods transported by truck or rail, with associated facilities for the loading and transfer of goods.

Truck Stop. The term "Truck Stop" refers to a place where large trucks, recreational vehicles, tractors, and equipment are fueled or serviced, including: on-site retail sales of gasoline and petroleum products; service station work such as lubrication and minor repair; washing and detailing; and incidental sales of tires, batteries, and replacement items. A truck stop is typically combined with a convenience store, restaurant, gaming uses, Laundromat, showering and personal hygiene facilities, sleeping accommodations, areas for medium-term (up to 24 hours) truck staging areas, and other commercial uses as permitted in the zone in accordance with this title.

Twinhome. The term "Twinhome" refers to two residential dwelling unites placed side-by-side with no side yards between them. Each dwelling unit has a separate entry and is located on a separate building lot. Twinhomes usually have a common wall separating them (that is, a solid shared structural part of the adjacent house). In some instances, each dwelling unit has its own side wall which abuts the neighboring side wall with nominal (e.g., one inch or less) distance, airspace, or insulation between them.

UAV **The term "UAV" (Unmanned Aerial Vehicle) or "drone" refers to powered aerial vehicles sustained in flight by aerodynamic lift over most of their flight path and guided without an onboard person or crew. They may be expendable or recoverable and can fly autonomously or piloted remotely.**

Uniformity. The term "Uniformity" refers to a condition in which two or more similar things (e.g., signs) are precisely the same, regular, and unvarying.

Use. The term "Use" refers to the purpose for which land or building is arranged, designed or intended, or for which it is or may be occupied or maintained.

Use, Principal. The term "Use, Principal", means the main or primary use of a premises which is not accessory to any other use on the premises. Unless the use customarily occurs indoors, or the definition of the use explicitly mentions that it occurs outdoors, a principal use occurs indoors. See also "principal building" definition in this chapter.

Utility Substation. The term "Utility Substation" refers to an assembly of electrical, telephone, gas, or other utility company equipment used to provide distribution of services.

Vacation Rental. The term "Vacation Rental" refers to any transient commercial ~~use~~ **lodging** providing for dwelling, living, or sleeping within a single-family or multi-family residential dwelling for a period of less than 30 days in a 1-year period.

Variable Image Sign. The term "Variable Image Sign" refers to any lighted sign on which the portrayed message or image changes periodically or continuously (i.e., reader board).

Variance. The term "Variance" excuses a particular parcel from full compliance with the provisions of a zoning ordinance where requiring full compliance would result in hardship to the interested party. Variances, however, may not be granted for failure to comply with use restrictions. The grant of a variance does not change the zoning ordinance or underlying zoning of the parcel and may only be granted upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same zoning district. The hardship may be demonstrated where, due to special circumstances applicable to the property, strict application of the development code's standards or requirements would deprive the property of privileges enjoyed by others in the vicinity. A self-imposed hardship is not a legitimate ground or reason for a variance approval.

Vending Machine. The term "Vending Machine" refers to a mechanical device that dispenses merchandise.

Veterinary Services, Large Animals. The term "Veterinary Services, Large Animals" specializes in the care and medical treatment of large animals or livestock. Veterinary services for small animals including pet clinics and small animal hospitals may be included to provide full veterinary services. An example of this use is a large animal hospital providing veterinary services for livestock, including stables and pens associated with care and feeding.

Veterinary Services, Small Animals. The term "Veterinary Services, Small Animals" specializes in the care and medical treatment of small animals and pets. Examples of this use include pet clinics and small animal hospitals.

Video Sales and Rental. The term "Video Sales and Rental" refers to an establishment primarily engaged in the retail rental or lease of video tapes, films, CD-ROMs, laser disks, electronic games, cassettes, or other electronic media.

Vision Clearance Triangle. The term "Vision Clearance Triangle" is formed by establishing a set distance from the point of intersection of a street or driveway in both directions and by a straight line connecting those two points.

Visitor. The term "Visitor" refers to a guest or tourist who pays a visit or otherwise stays locally for a short period of time.

Wall. The term "Wall" refers to an architectural partition with a height and length greater than its thickness which is used to divide or enclose an area or to support another structure.

Warehousing, Storage and Distribution. The term "Warehousing, Storage, and Distribution" refers to establishments or places of business primarily engaged in warehousing, storage, and wholesale distribution, including, but not limited to, handling of material, goods and equipment.

Wastewater Treatment Facility. The term "Wastewater Treatment Facility" refers to a 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 these wastes.

Watchman's Dwelling. The term "Watchman's Dwelling" also called "watchman's quarters" refers to a single-family dwelling unit that is accessory to a permitted principal use and for the occupancy by the owner, operator, or an employee of the permitted principal use acting as caretaker, custodian, or security personnel, together with his or her immediate family, if applicable. The use may not be rented or leased.

Water Storage Facility. The term "Water Storage Facility" refers to a system for collecting, storing, and distributing potable water from a source of supply to users.

Water Towers. The term "Water Towers" refers to an elevated storage container and support structure intended to hold a water supply at a height sufficient to pressurize a water distribution system.

Watershed. The term "Watershed" refers to an area of land separated from other land by a ridge or high land and serving as a drainage area by a stream or river.

Wild Animal. The term "Wild Animal" refers to any animal wild by nature and not customarily domesticated, including but not limited to mammals, fowl, fish or reptiles.

Wind Energy Turbine. The term "Wind Energy Turbine" refers to a system consisting of a wind turbine, support tower, and associated control or conversion electronics that generates electrical power for a lawful principal use.

Winery. The term "Winery" refers to a facility engaged in the production of wine, including storage, bottling, distribution, and related administrative functions such as office management and on-site tasting. Incidental production of olive oils, non-alcoholic grape juices, and similar products is also permitted.

Wireless Communications Facilities. The term "Wireless Communications Facilities" refers to all equipment, buildings, and structures that receive and broadcast communication services over radio-frequency waves. The term includes any of the following:

A. **Amateur Radio Communication Facility.** The term "Amateur Radio Communication Facility" refers to a non-commercial radio service involving amateur radio operators communicating locally and worldwide using store-bought or homemade radios, computers, satellites, and the internet, and including above-ground antenna support structures.

B. **Antenna.** The term "Antenna" refers to a whip (omni-directional antenna), panel (directional antenna), disk (parabolic antenna), or similar device used for transmission or reception of radio or electromagnetic waves and signals.

C. **Antenna Array.** The term "Antenna Array" refers to more than one whip, panel, disk, or similar device used on the same antenna support structure.

D. **Antenna Support Structure.** The term "Antenna Support Structure" refers to a structure, mast, tower, framework, or monopole that is designed to support devices including, but not limited to, antennas, transmitters, relay wireless

communications, and related devices. These structures include free-standing, guyed, or mounted to a roof, side of a building, ground, or a structure other than a building. The overall height, regardless of its mounting position, is measured from ground grade level to the uppermost portion of the antenna support structure.

E. **Commercial Communication Facility.** The term "Commercial Communication Facility" refers to a communication system that uses a network of short-range transmitters in overlapping zones and a central station to connect to telephone lines and oftentimes including antenna support structures.

F. **Repeater.** The term "Repeater" refers to a receiver or relay transmitter designed to provide service to areas that are not able to receive adequate coverage from the primary sending and receiving site in a wireless communications network;

G. **Satellite Dish Antenna.** The term "Satellite Dish Antenna" refers to any parabolic or dish-shaped (and related equipment) designed to receive communications from orbiting satellites or other communication source.

H. **Wireless Communication Services.** The term "Wireless Communication Services" refers to commercial mobile radio services, unlicensed wireless services, and common carrier wireless exchange access services as defined in the Telecommunications Act.

I. **Wireless Communication Service Provider**. The term "Wireless Communication Service Provider" refers to an entity licensed by the Federal Communication Commission (FCC) to provide wireless communication services to individuals, businesses or institutions.

Whiteboard. The term "Whiteboard" refers to a smooth, hard, light-colored panel or surface for writing on with an erasable marker or pen.

Window. The term "Window" refers to any opening within the exterior of a building or structure that is intended to provide natural light into the building, or any framework that contains a glass or glasslike windowpane and is built into a wall or roof to admit light or air.

Yard, Rummage, Estate, or Garage Sale. The term "Yard, Rummage, Estate, or Garage Sale" refers to a sale of used household belongings typically held outdoors at the primary residence of the seller limited to 2 days in a 12-month period.

Youth Recreation Facility. The term "Youth Recreation Facility" refers to an indoor or outdoor facility designed and equipped for the performance of sports activities, leisure activities, and other customary and usual youth recreation activities. The operators of these facilities often design arts, sports, fitness, and recreation programs for the youth, as well as other more specialized programs on topics such as leadership, education and career guidance, and health and life skills.

Zoo. The term "Zoo" refers to a park where wild animals are kept in enclosures for public viewing, and where they may be bred and observed for research. The term does not include laboratory or experimental animal research.

Chapter 17.12

General Provisions

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17.12.110 Manufactured homes authorized
17.12.120 Converting manufactured and existing mobile homes to real property

17.12.010 Purpose and Intent

The regulations set forth in this chapter modify or further restrict, where applicable, the zoning regulations of this title.

17.12.014 Uses Allowed

The following regulations apply to allowed uses:

A. Uses listed as allowed. Buildings, structures and land may be used, erected, maintained, altered or enlarged only for purposes listed as allowed in the zone where the building or land is located.

B. Any legally created use already established within an area prior to the present zone regulations that is not an allowed use within the zone or is a permitted use only with a special use permit may be allowed to continue as a nonconforming

use subject to all conditions and restrictions relating to nonconforming uses provided in chapter 17.06 Nonconforming uses.

17.12.018 Uses Permitted Subject to a Special Use Permit

Uses listed as requiring a special use permit are considered as special exceptions within each zone. Any special permitted use must meet with the regulations for special use permits and any conditions imposed by the board. In addition to the special use permit, all necessary federal, state, and county permits and licenses are required.

17.12.022 Uses Prohibited

Uses that are prohibited in each zone are declared to be detrimental to the public health, safety and general welfare.

17.12.023 Home ~~Occupations~~ Enterprises

A. Home ~~occupations~~ **enterprises** may be permitted as an incidental use to the principal residential purpose in zones permitting residences provided that the occupation is confined to the inside of the principal residence or accessory building and does not involve an addition or alteration that would change the residential nature of the property. A home occupation that might produce noise, odor, dust or smoke, excessive vehicular traffic, other disturbance, or that would adversely affect the health, safety, or general welfare of the citizens of the county is not permitted.

B. All home ~~occupations~~ **enterprises** are subject to the requirements of a special use permit.

C. Signs used in connection with a home ~~occupations~~ **enterprises** are limited to 1 foot by 2 feet, except for garage sales, which are limited to 2 sales per year per residence. Chapter 17.84 regulates all signs.

D. Home pet and plant sales. In any ~~CR~~ **CR**, R, E, or SPR zone, a person may keep **or cultivate** pets or raise fowl, bush**es**, tree**s**, ~~berry~~ **berries**, or crop**s**, or sell pets, fowl, or crops from the premises, providing that no stores or stands are constructed for the purpose, the operation is not conducted as a regular commercial enterprise, and the activity is not in violation of any other ordinance.

17.12.024 Nonconforming Buildings and Uses

The uses of property or buildings that may become nonconforming by reason of changes to the zoning ordinance are regulated by chapter 17.06 Nonconforming use**s**.

17.12.040 Modernization

The expansion, modernization, replacement, reconstruction, repair, or rebuilding and continued use of public utility buildings, structures, equipment and facilities is allowed where there is no change of use or increase in area of the land so used.

17.12.041 Net Metering

In accordance with NRS 704, the difference between the electricity supplied by a public utility and the electricity generated by a customer-generator using renewable energy

generating systems may be fed back to the utility over the applicable billing period is known as "net metering". Net metering is permitted in all zones providing that all of the following apply:

A. Renewable energy is the primary source of energy to generate electricity;

B. The system has a generating capacity not exceeding the maximum allowable renewable energy generating capacity for the zone, or not more than 1 megawatt in I and P zones;

C. The system is located on-site of the user or on the customer-generator's premises;

D. The system operates in parallel with the public utilities transmission and distribution facilities;

E. The system is intended primarily to offset part or all of the customer-generator's requirements for electricity; and

F. The facility or renewable energy system for the generation of electricity has a generating capacity that does not exceed the greater of:

1. The limit on the demand that the class of customer of the customer-generator may place on the system of the utility; or

2. 150 percent of the peak demand of the customer or user.

Renewable energy generation systems are regulated in each zone pursuant to this title as well as federal, state, and county regulations and ordinances.

17.12.044 Height of Buildings and Structures

A. **Buildings and structures – general.** The height limitations for buildings, manufactured ~~buildings and~~ homes, and other structures not listed in this section is regulated by the zone in which they are located. Church spires, belfries, cupolas, domes, chimneys water towers, and flagpoles are exempt from the height limitations in this title.

B. **Wireless communication facilities.** Radio, television, and other commercial and non-commercial communication antenna support structures may extend vertically ~~no more than~~ **up to** 45 feet above grade level in the A, C, ~~CR~~ **CR, I1,** E, F, P, R, and SPR zones; ~~50 feet in the I1 zone; and~~ 75 feet in the **IC,** I2 and I3 zones. A special use permit may be granted to exceed these height limitations provided that the structures may be safely erected and maintained at that height in view of surrounding conditions and circumstances. For radio, television, and other commercial and non-commercial communication antenna support structures existing under an approved special use permit, no additional special use permit or alteration of the existing special use permit will be required to add or modify antennas attached to the structure, provided that the antennas conform to the conditions of the special use permit and does not increase the height of the antenna support structure.

C. **Wind energy turbines.** A wind energy turbine of 10 kWh or less capacity may not be located closer than its total height, including its support tower and blade

in the upward position, plus 10 percent of its total height, to the lot boundary in the parcel it is located (see figure 12.1). A variance for reduced setback may be granted when a wind energy turbine of 10 kWh or less capacity is located on a parcel of at least 1 acre. Setbacks for wind energy turbine support towers exceeding 45 feet in height or for wind energy turbines exceeding 10 kWh capacity must conform to the approved special use permit.

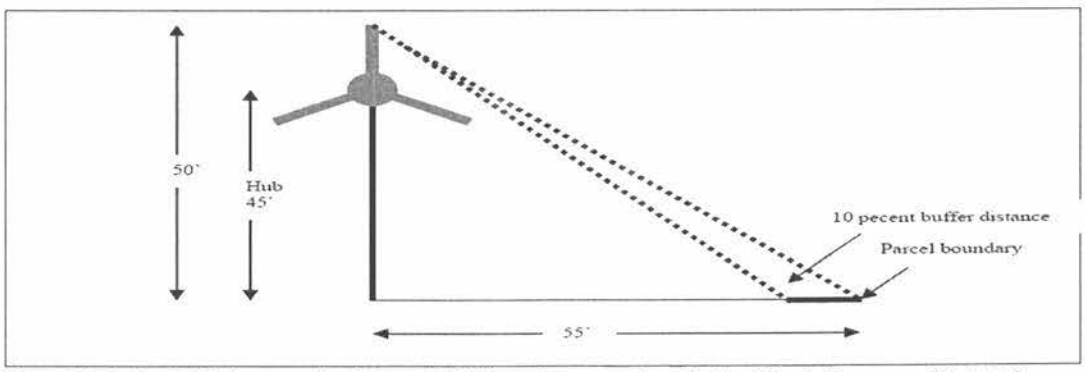


Figure 12.1: Total fall-down setback for a 10 kWh or less capacity wind turbine is the sum of its total height and ten percent thereof.

~~17.12.048~~ 17.12.045 Accessory Buildings, Location and Placement (non-dwelling)

The following provisions apply to the location and placement of accessory buildings unless otherwise provided in this title~~:~~. Accessory buildings must be no less than 6 feet from another building, and must comply with applicable building and fire separation requirements. Regular setback distances apply to accessory buildings with exception of the following.

A. Accessory buildings in R and SPR zone.

1. Accessory buildings up to 500 square feet or 20 feet in height may be located up to 3 feet of the rear and side property line.
2. Accessory buildings exceeding 500 square feet or 20 feet in height must conform to regular setback distances. However, a variance may be granted by the board with action by the planning commission to locate an accessory structure exceeding 500 square feet or 20 feet in height less than the regular setback distance to the rear and side property lines.
3. Accessory building(s) may cover no more than 40 percent of the rear yard area.

B. **Accessory buildings in E zone**.

1. Standard setback distances apply when the lot is larger than one acre. When the lot is one acre or less, accessory buildings may be placed no closer than 50 percent of the depth of the lot from the front property line, or 60 feet, whichever is less.

C. Accessory buildings in the I1, I2, I3, and IC zones.

1. Accessory buildings 2,000 square feet or less may be located up to 20 feet of the front, rear, or side lot line.

D. Accessory buildings in the A and NR zones.

1. The location, placement, and area of accessory buildings in the A and NR zones are regulated by chapters 17.24 Agriculture zone and 17.76 Natural Resources zone, respectively.

~~A. A detached accessory building less than 400 square feet in area may not exceed 20 feet in height. Detached accessory buildings in the E, F, and R zones may not exceed 2 stories or 35 feet in height.~~

~~B. A detached Accessory building may not be located within the required front yard setback area in the R and SPR zones or within any front, side, or rear yard setback in the F zone. A detached accessory buildings in the E zone may not be closer than 50 percent of the depth of the lot from the front property line, or 60 feet, whichever is less.~~

~~C. A detached accessory structure not exceeding 200 square feet in area in the R and SPR zones may not be located closer than 3 feet from the property line. A detached accessory structure exceeding 200 square feet in area but not more than 400 square feet in area may not be located closer than 5 feet from the property line. Unless otherwise stated in this title, all accessory structures exceeding 400 square feet in area must meet standard setback requirements.~~

~~D. On a corner lot facing two streets, a detached accessory may not be located at a distance less than the required front yard or street side yard setback area.~~

~~E. Accessory buildings in the E, R, and SPR zones, if 2 stories in height, may not be located close than 5 feet to any interior property line.~~

~~F. It is unlawful to construct, erect, or locate in any E, R, or SPR zone private garages or other accessory buildings without a principal building. A temporary building may be constructed and occupied as a legal use pending the construction of a permanent use providing that a permit will not be issued for the temporary structure unless a permit is also issued at the same time for the permanent building. If it is proposed to convert the temporary structure to a permissive accessory use upon completion of the main structure, the conversion must occur upon completion of the final structure or be removed at that time or within a period of 1 year form the date of issuance of the original permit. A principal residential building is not be required for accessory buildings and uses incidental to permitted agricultural uses in the A zone.~~

~~G. If an accessory building is connected to the main building by a breezeway, below-grade tunnel, or other structure that is not habitable space as defined by the building code, each structure must meet front, rear, and side yard setback requirements for that zone, and is considered an accessory building and a main structure for calculation of square footage of accessory structures.~~

~~H. A detached structure may not be located closer to any other building on the same or adjoining lot than allowed by the building code and fire code.~~

~~1.~~**E Area limitations.** The ~~limitations in the following table~~ **following limitations** apply to allowable cumulative square footage for accessory ~~structures~~ **building(s)** ~~and accessory uses~~:

Zone	Maximum square footage for accessory ~~structure~~ **building**
C and CR	~~1,500 square feet, but not to exceed 5 percent of total lot area~~ **No limitation**
R1 and R2	1,500 square feet
SPR	1,500 square feet
~~E1, E1VCH, E-2.5, and E-5~~ **E and E1VCH (1 to 5 acres)**	~~First floor not to exceed 2,500 square feet, total area not to exceed 4,000 square feet~~ **4,000 square feet total. Second floor exterior walls must be offset from the first floor exterior walls by at least 10 percent on at least two sides.**
~~E10, E10HR, E40, and E40VR~~ **E, E10HR, and E40VR (more than 5 acres, up to 40 acres)**	5,000 square feet
F	5,000 square feet
IC, I1, I2, and I3	~~Not more than 50 percent of total area of principal building on the lot~~ **No limitation**
A	Up to 5 percent of total lot area when clearly incidental to the permitted agriculture use and 5,000 square feet when not clearly incidental to the permitted agricultural use

F. Deed restriction. Any detached accessory building proposed to be connected to a potable water supply line, or a septic system or community water system (i.e., sanitary sewer) as part of a building permit application shall require a deed restriction to be filed with the county recorder's office stipulating that the structure will not be converted to an accessory dwelling unit as defined by chapter 17.10 Definitions. The deed restriction shall make the county a party to the restriction and shall be obtained from the building or planning department. A copy of the recorded deed restriction shall be required prior to the issuance of the building permit.

G. Temporary accessory structure – during construction. It is unlawful to construct, erect, or locate private garages or other accessory buildings and uses in the E, R, or SPR zone without an existing principal building. A temporary building may be constructed pending the construction of the principal building providing that a building permit will not be issued for the temporary building unless a permit is also issued at the same time for the principal building. Temporary accessory dwelling units are regulated under section 17.12.046 Accessory dwellings, location, and placement.

17.12.046 Accessory Dwellings, Location and Placement

The following provisions apply to accessory dwelling units defined in section 17.10 Definitions. Detached accessory dwelling units must be no less than 6 feet to another building and must comply with applicable building and fire separation requirements. Unless otherwise stated in this title, regular setback distances apply to accessory dwellings.

A. Accessory dwellings in the A, CR, F, and R2 zones

1. Dwelling units are regulated by chapter 17.24 Agriculture zone, 17.30 Commercial-Residential zone, 17.32 Forestry zone, and 17.20 Multi-family Residential zone, respectively.

B. Accessory dwellings in the I1, I2, I3, and IC zones

1. **Special use permit.** A special use permit for an accessory dwelling (attached or detached) may be granted by the board with action by the planning commission for the purpose of providing 1 watchperson/security living quarters for the property in which the principal industrial use is located.
2. **Principal use required.** No accessory dwelling may be permitted without a principal industrial use existing on the property.
3. **Occupancy.** The dwelling shall be limited to 1 person or 1 family. There shall be no payment of rent or lease, or payment toward purchase by the occupant of the dwelling.

C. Accessory dwellings in the E, R1, NR and SPR zones

1. **Special use permit**. A special use permit for an accessory dwelling (attached or detached) may be granted by the board with action by the planning commission.
2. **Minimum parcel size**. The lot size must be at least: 10,000 square feet in the R and SPR zones; 1 acre in the E zone; and 40 acres in the NR zone.
3. **Principal occupants**. The owners of the property in which the accessory dwelling unit is permitted shall occupy at least one of the dwelling units (accessory or principal unit) on the premises, except for bona fide temporary absence.
4. **Building area**. The attached and detached accessory dwelling may be no less than 500 square feet, and the detached accessory dwelling may be no more than 1,000 square feet.
5. **Parking**. At least 1 off-street parking shall be provided in addition to the required parking requirements for the principal use.
6. **One allowed**. Only 1 accessory dwelling unit is allowed per parcel.
7. **Affidavit of family**. If the accessory dwelling is occupied, an affidavit provided by the planning department and signed by the property owner(s) must be filed with the building and planning departments. It must state the name(s) of person(s) occupying the principal and accessory dwellings and

describe the family lineage between the property owners(s) and the person occupying the accessory dwelling.

8. **Deed restriction**. A deed restriction shall be filed with the county recorder's office stating that the accessory dwelling unit is a temporary use for immediate family members. It shall stipulate that the unit will be vacated and converted to a non-dwelling use (in accordance with the building code) at such time that the immediate family member(s) no longer occupy the unit. The deed restriction form will be provided by the planning department and it shall make the county a party to the deed restriction. The planning department shall agree in-writing to allow the property owners(s) to remove the deed restriction if the owner legally converts the accessory dwelling to a non-dwelling use. A copy of the recorded deed restriction shall be required and presented to the building department prior to issuance of a building permit.

D. **Temporary accessory dwelling – during construction**. It is unlawful to construct, erect, or locate an accessory dwelling unit in the E, R, or SPR zone without an existing principal dwelling unit. When the following requirements are met, a temporary accessory dwelling unit may be constructed pending the construction of the principal building providing that a building permit will not be issued for the temporary dwelling unless a permit is also issued at the same time for the principal building. A certificate of occupancy for the principal building and the accessory dwelling shall not be granted until the temporary accessory dwelling is converted to a non-dwelling use.

17.12.049 Comstock Historic District standards

The provisions of NRS 384 establishing and regulating the Comstock Historic District are made part of this title within the boundaries of the Comstock Historic District. The boundaries of this area are fixed pursuant to the terms of NRS 384. The provisions of this section are those contained in NRS 384 as well as other provisions found by this ordinance to be appropriate for the area.

A. Commercial buildings abutting "C" Street. Commercial buildings abutting "C" Street and located within the Virginia City Downtown District must have wooden porches over the top of the sidewalks/boardwalks extending from the building front to the street, and must have a front sidewalk constructed of wood from the building front to the street. A variance may be granted by the board with action by the planning commission when good cause is shown by the applicant.

B. **Setback distances.** ~~Building setbacks must conform to chapters 17.28 Commercial zone and chapter 17.30 Commercial-residential zone, and accessory structure setbacks must conform to chapter 17.12 General provisions. A variance may be provided by the board with action by the planning commission; however, the variance must not conflict with the provisions of NRS 384.~~ **Building setbacks are established by the respective zones for each use.**

C. **Buildings, structures, and exteriors.** The following standards apply to all buildings, structures, and exteriors located with the Comstock Historic District.

1. All exterior materials must consist of a substance shown to have existed prior to 1942, and building and structure exteriors must be appropriate in design for that time period.
2. Outdoor signs and advertising devices must comply with the provisions of chapter 17.84 Signs and billboards.
3. Lighting within 2,000 feet of the Comstock Historic District boundaries is limited to incandescent lighting or indirect (concealed) fluorescent, Compact Florescent Lighting (CFL), or Light Emitting Diode (LED) type lighting. CLF and LED light emitting devices which are made to look like incandescent light "bulbs" are permitted to be plainly visible. No neon, or blinking, flashing, chasing, or motion lights are permitted. The regulations of this provision including other light emitting devices which appear similar to neon signs, such as those which employ LEDs similar in hue to neon and configuration to show a continuous stream of light.

17.12.050 Visibility at Intersections

Fences, certain fence support columns, walls, hedges, and other obstructions abutting the intersecting portions of the public right-of-way must be placed so that they do not obstruct vehicular and pedestrian visibility. Specifically, obstructions located within the vision-clearance-triangle must have a base 8 feet or higher above grade or a total height not exceeding 3 feet from grade, except solid fences and hedges up to 4 feet in height and other fences permitted by section 17.12.060. Trees and shrubs located within the vision clearance triangle are permitted so long as they are trimmed and maintained to meet the purpose and intent of this section. Traffic regulatory signs, lights, utilities, and other devices installed by a governing agency are exempt from these limitations. In instances where a safety or traffic hazard is caused by inadequate visibility at intersections, additional or more restrictive conditions may be imposed. A commercial building located in the C and CR zone and abutting the public right-of-way must have the corners abutting the intersection designed in accordance with the vision-clearance-triangle as demonstrated in figure ~~12.3~~ **12.2**.

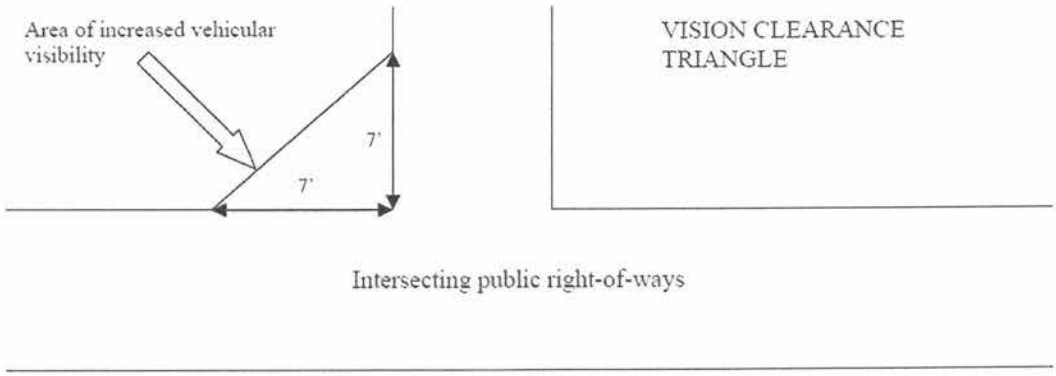


Figure 12.2: Setback requirements for devices placed within the vision-clearance-triangle maintain clear visibility for vehicular and pedestrian traffic. In some instances more restrictive requirements may be necessary to maintain a safe travel environment.

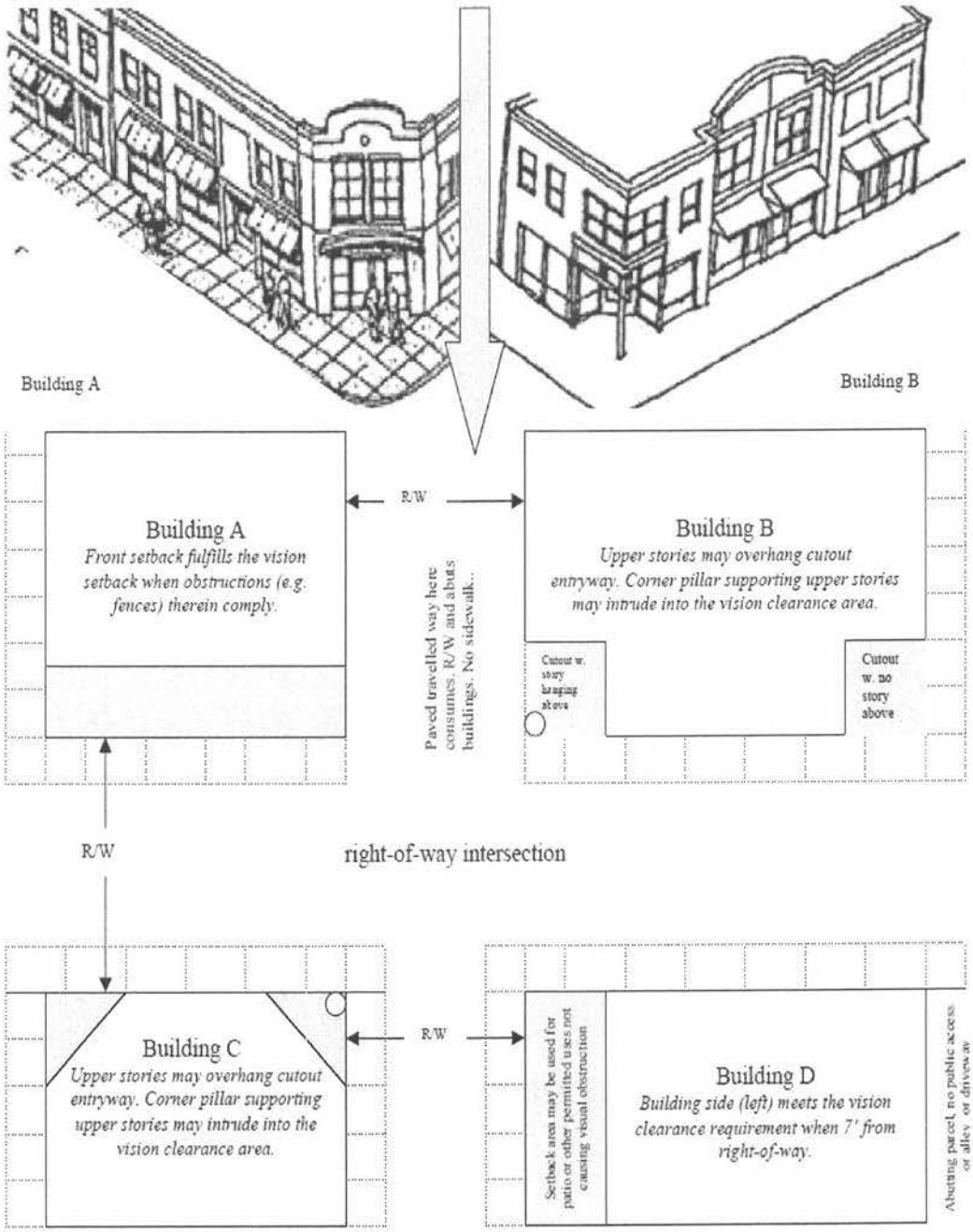


Figure 12.3: The image illustrates examples of building design and placement that meet the purpose and intent of the vision-clearance-triangle. The configurations above are not exhaustive as buildings and improvements may take many forms that meet said requirements. It is hereby recognized that many historic buildings in the Virginia City area currently abut the paved travelled way and facilitate no pedestrian access such as sidewalks. It is strongly encouraged that new developments which abut the public right-of-way in accordance with this Title include development of appropriate pedestrian access such as sidewalks/boardwalks, and stairways when needed. The building cut-out corner design shall not be required for allies and access driveways.

17.12.052 Through Lots

On through lots, either line separating the lot from a public right-of-way may be designated by the owner as the front lot line. In such cases, the minimum rear ~~yard~~ **setback distance** is the average of the yards on adjoining lots. If the adjoining lots are undeveloped, the minimum rear ~~yard~~ **setback distance** ~~must be~~ **shall be equal to** the front ~~yard~~ setback **distance** for the zone in which the property is located.

17.12.056 ~~Yard~~ Setback Encroachments

Where ~~yards~~ **setback distances** are required ~~in~~ **by** this title, they must meet the minimum dimension specified for any part, and they must be open and unobstructed from the ground upward, except as follows:

A. Cornices, canopies, eaves, or other similar architectural features not providing additional floor space within the building may extend into ~~a~~ **the** required front, side, or rear ~~yard~~ setback area no more than 3 feet.

B. Open, unenclosed, **covered and** uncovered porches, **decks,** platforms, or landing places which do not extend above the level of the first floor of the building, may extend into any front~~, side,~~ or rear ~~yard~~ setback area no more than 6 feet~~;~~ **and side setback area no more than 5 feet.** ~~provided that an~~ **An** open-work railing~~, not less than~~ **up to** 36 inches in height~~,~~ may be installed or constructed on any porch, **deck,** platform, or landing place **including above the first floor level.**

C. Detached accessory buildings may occupy side and rear ~~yards~~ **setback areas** in accordance with ~~section 17.12.048.~~ **the provisions of this chapter.**

17.12.060 Fences, Walls and Hedges

The following regulations apply to the placement and design of fences, walls, and hedges:

A. Height limitation and visibility:

1. In addition to the requirements of this section, all fences, walls, hedges, and other obstruction must comply with section 17.12.050.

2. Rear and side yard fences, hedges, and walls may not exceed a height of 6 feet above grade ~~(see figure 12.3)~~ in the C, CR, R, and SPR zones**, (see figure 12.5).**

3. Front yards fences, hedges, and walls may not exceed a height of 4 feet above grade ~~(see figure 12.3)~~ in the C, CR, R, and SPR zones, **(see figure 12.5).** (Note: ~~Corner~~ **For the purpose of this section, corner** lots in these zones are considered to have 2 front yards as illustrated in figure 12.~~3~~ **4**).

4. Fences and walls in the A, E, and F zones may extend to 6 feet above grade in the front ~~yard~~ setback area when the criteria listed below are met. Hedges in the A, E, and F zones are exempt from these height limitations when ~~in accordance with~~ **they conform to** section 17.12.050:

a. They consist of at least 75 percent of open space uniformly distributed along their surface above a height of 4 feet; and

b. Vision through the fence or hedge is not materially obstructed from any angle as to obstruct the view of vehicular traffic on adjacent streets or public right-of-ways or of pedestrian traffic on adjacent sidewalks.

c. *Examples of fences that typically meet the ~~above~~ requirements* ***in this subsection*** *include chain link, wire, rail and split rail, and wrought iron (see Figure ~~12.4~~* ***12.5****). Rail ~~and split rail~~ fences must consist of horizontal rails not more than 4 inches wide and at least 1 foot between rail edges. Deviation from horizontal rails and from these dimensions may be allowed, providing the applicant can demonstrate to the satisfaction of the ~~community development~~* ***building and planning*** *departments that the deviation will not violate the purpose and intent of this chapter. Picket fences, wire and chain-link with inserted solid slats or other solid applications ~~are not considered to be in accordance with this~~* ***do not comply with this*** *section.*

5. Rear yard fences in R zones within Virginia City must be setback 4 feet from the edge of the public travelled way.

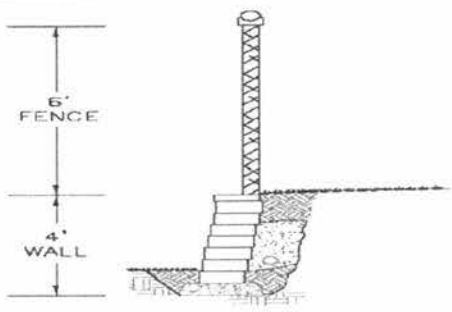
6. Fences and walls in the A and I zones may extend 8 feet above grade level in the rear, side, and front yard, but must not materially obstruct from any angle as to obstruct the view of vehicular traffic on adjacent public right-of-ways or of pedestrian traffic on adjacent sidewalks.

7. ~~1~~ **One** additional foot of height is allowed for fence or wall columns which are a maximum of 2 feet in width and spaced at least 6 feet apart measured center to center (see figure 12.5).

8. ~~2~~ **Two** additional feet of height is allowed for decorative open arched gate which does not exceed 25 feet in width for a vehicular gate or 8 feet in width for a pedestrian gate (see figure 12.6).

9. ~~4~~ **Four** additional feet of height is allowed to accommodate solid arch structures over gates and other passageways for pedestrians and vehicles (see figure 12.5).

10. A fence height must be measured from grade to the top of the fence. When a fence is located on top**, and within 12"** of a retaining wall, the height of the retaining wall is not be included in the height measurement of the fence (see ~~figure 12.6~~ **illustration below**).



~~Figure 12.6:~~ The retaining wall is not part of the fence in this illustration. Retaining walls are defined pursuant to chapter 17.10.

11. ~~2~~ **Two** additional feet of height is allowed for decorative lanterns, urns, planters, or sculptural elements above the maximum height allowed for the fence or wall component (e.g., wall, column, or arch) upon which such decorative feature is located.

12. Maximum height may vary up to 6 inches to allow for grade changes, clearance under fences for maintenance, footers, other obstacles customary to the use intended to be fence, and reasonable human error.

13. Fences and walls ~~that~~ **which** are exempt from the height limitations of this section when they are:

    a. Associated with uses that require high fences to protect public safety including, but not limited to, golf driving ranges, public utility substations, baseball fields, athletic fields, and swimming pools;

    b. A requirement of a state or federal agency, such as those for jails and other high security facilities.

B. Barbed or razor wire. Fences incorporating barbed wire or razor wire are not permitted in C, CR, E, and R zones, except barbed wire may be used on top of a 6 foot high solid or chain link fence or wall surrounding a public utility building, ~~or~~ substation, or public use or when the fence is not ~~a property line fence~~ **placed within 12 inches of the property line.**

C. Electric fences. Fences or barriers incorporating electrical current are not permitted in C, CR, and R zones. In all other zones, fences and other barriers (e.g., electrical ribbon) incorporating electrical current are permitted provided that they are safe for humans and animals, are manufactured by an established and reputable company and carry ~~a "UL Approved"~~ **an Underwriters Laboratory UL or equivalent federally recognized standard** seal, and are located no closer than 10 feet from the property line. The setback requirement does not apply to wireless below-ground electronic pet barriers, i.e., "invisible dog fences".

D. Fabric and screening. The attachment of fabric or shade cloth to a chain link or similar open fence is prohibited. Fabric, shade cloth, or other material is not a permitted method of required screening of outdoor storage areas. Fabric, shade cloth, or other material may be installed to create a wind barrier for athletic fields and courts or similar situations subject to the following requirements: (a) it must be professionally installed by a licensed contractor; and (b) the proposed material must be designed and installed to withstand wind resistance and attached at grommets designed in a manner consistent with the building code.

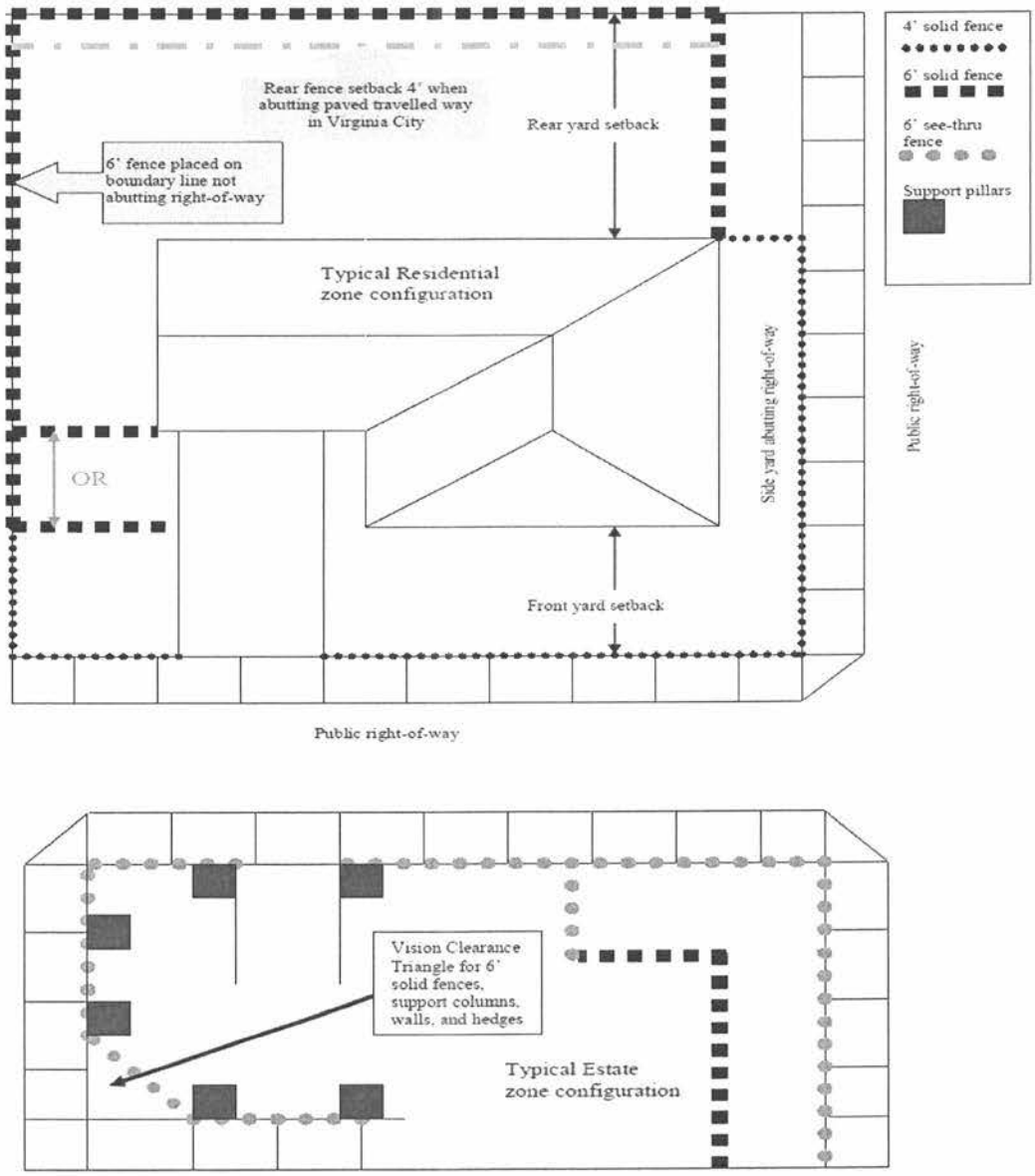


Figure 12.~~3~~ 4: The diagram illustrates typical situations that are applicable to residential and estate zones. It is recognized that that many rear yards of historic parcels in Virginia City abut the public (paved) travelled way and, in some instances, overlap the dedicated right-of-way. This situation leaves little or no room for pedestrian ways and creates challenges for public parking as well as snow removal. The rear yard fence setback requirement in R zones located within Virginia City will enable services to be provided by the county in a safe and efficient manner.

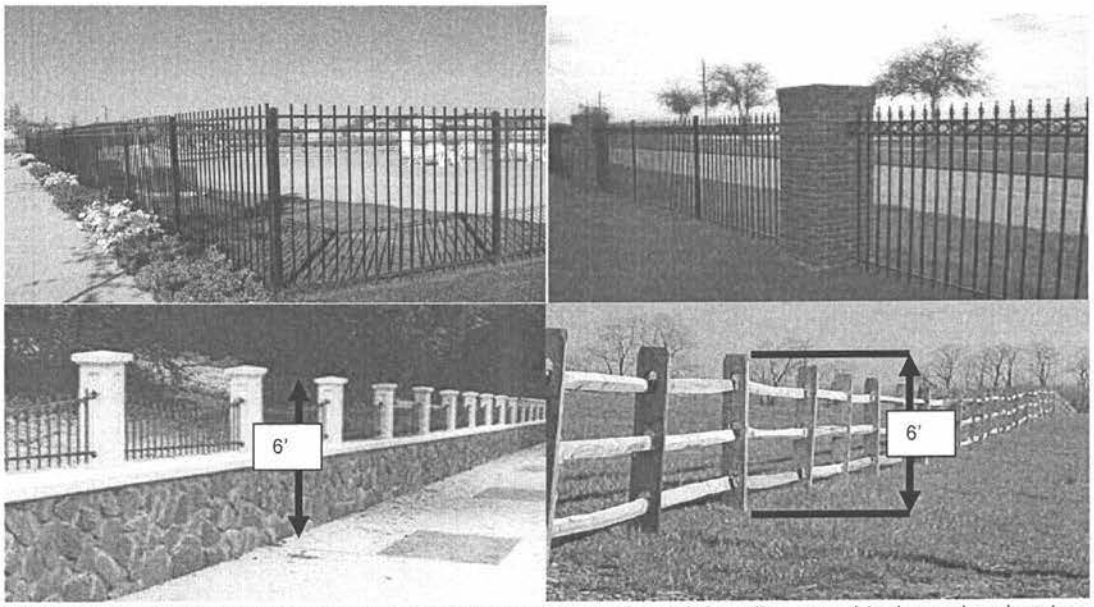


Figure 12.4 5: The wrought iron fences (top) are easily seen through by adjacent vehicular and pedestrian traffic. The top left fence, with no large supporting columns, may be located within the vision-clearance-triangle; the top right fence, with vision obstructing columns, may not. The 6 foot fences (bottom) may abut the front lot line of the E zone because the solid portion meets the maximum height limitation for fences and walls in the front yard. The bottom left fence/wall combination, like the top left fence, employs large support columns and must be placed outside of the vision-clearance triangle.

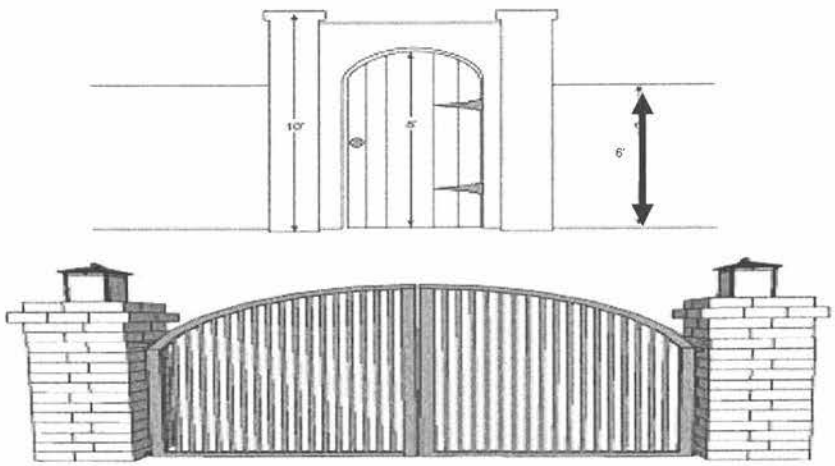


Figure 12.6: The gate designs are examples where maximum height limitations for fences may be exceeded **in** accordance with this chapter. They include structural archways over gates, arched gates, support pillars, and their lamps.

17.12.064 Public Utility Uses

The provisions of this title do not apply to the construction, installation, operation and maintenance of public utility distribution and transmission lines, towers and poles, and underground facilities for providing gas, water, electricity, telephone, telegraph or communication services by public utility companies under the jurisdiction of the Public Utilities Commission of the State of Nevada; provided, before a public utility acquires any right-of-way for a transmission line, the proposed route must be submitted to the planning commission for review and recommendation to the board. This exemption does not apply to commercial cellular and other wireless communication antenna support structures and towers.

17.12.068 Minimum Lot Area

The minimum lot area required for any lot within a zone is based on the lot being served by both public utilities of water and sewer systems. For a lot without both public utilities of water and sewer systems, the minimum lot area within any residential zone is as follows:

A. **One** ~~1~~ acre per dwelling unit where the lot is served by a public sewer system but not a public water system;

B. **Ten Thousand** ~~10,000~~ square feet per dwelling unit where the lot is served by a public water system but not by a public sewer system;

C. **One** ~~1~~ acre per dwelling unit where the lot is not served ~~by~~ either **by** a public water or a public sewer system.

17.12.070 Off-Street Parking

A. ~~The off-street parking requirement is~~ **Residential. There shall be at least** 2 off-street parking spaces **provided** for each residential ~~family~~ **dwelling** unit, including manufactured homes, mobile homes, and other **attached or detached** dwellings **units**. ~~and 1 space for each 500 square feet of gross floor area for any permitted nonresident use. Multiple residences must have 2 off-street parking spaces for each unit.~~

B. Commercial (no lodging). At least 1 off-street parking space shall be provided for each 500 square feet of gross floor area of a commercial use.

C. Commercial lodging. At least 1 off-street parking space shall be provided for each commercial transient lodging unit or suite.

D. All required parking spaces must be provided as on-site parking, and included on the parcel upon which the unit is constructed, and must remain with the parcel so long as the use is continued.

E. The planning commission may establish any other ratio not set forth in this section, and all parking spaces referred to in this section must be of a sufficient size to accommodate any size of passenger automobiles.

17.12.080 Open Storage Prohibited

No open storage~~, including inoperative automobiles,~~ is allowed in any zone **unless stated otherwise in this title.**

17.12.090 Access and Right-of-Ways

A. Definitions.

1. **Access ways**. A clear and unobstructed usable approach of at least 12 feet in width (residential), 15 feet in width (one-way commercial and industrial), and 24 feet in width (two-way) from a development upon land to a public travelled way located within a public right-of-way (see figure 12.7). An access way may also be ~~secured~~ **established** ~~by means of an~~ **within a legal recorded easement** ~~from the owner of a parcel or lot proposed to be built upon for the full length of the parcel or lot~~ (see figure 12.8) **across another's land which benefits the subject property by connecting it to** ~~extending~~ to a public right-of-way, or any other access way suitable and acceptable to the ~~community development~~ **building, planning, and** public works departments**.**

2. **Public right-of-way**. A strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public traveled ways, highways, sidewalks, boardwalks, bicycle lanes, equestrian and pedestrian trails, or other transportation related improvements (see figures 12.7 ~~&~~ **and** 12.8). A public utility right-of-way **or easement** and associated public utility improvements may be located within a public right-of-way. Public right-of-ways may also be used in reference to public-private right-of-ways (easements) in which vehicular or pedestrian access are limited to designated persons such as members of a homeowners association.

3. **Public utility right-of-way**. A strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public utilities such as waterlines, sanitary sewers, **tele**communication infrastructures, electricity transmission lines, **and gas,** but not including transportation related facilities applicable to the public right-of-way.

4. **Public traveled way**. The entire width between the boundary line of every way (from curb to curb and/or edge of paved or graveled roadway) maintained by a public authority and that is open to public use for the purpose of vehicular or other mechanized transit traffic (see figure 12.7).

B. Access Requirements.

1. **Required area.** On any subdivision, parcel, tentative or informational map, the required nominal parcel or lot area per the land use zoning requirements is the net area of the parcel or lot, excluding any access ways containing the public traveled way. A nominal gross area tolerance of 5 percent maximum may be granted in the computation of the net area by the board with action by the planning commission when there is a single access, and 10 percent where there is a double access. Any higher percentage request requires a variance.

2. **Required width.** The full dedicated or easement width, without reference to the width of the developed public traveled way. No commercial, industrial, or dwelling construction may be permitted on any parcel or lot not served by a public right-of-way of at least 50 feet in width, with a minimum public traveled way of 24 feet in width. When the public right-of-way is less than 50 feet in width, or the public traveled way is less than 24 feet in width, a variance is required. This required width applies to all areas subdivided, parceled, or under record of survey, on file in the county recorder's office. In non-subdivided areas or areas where no official map is on file in the county recorder's office, an applicant for a **variance,** special use permit, or a building permit must demonstrate by a title company report, or other acceptable means, the existence of the required improved access way before a **variance,** special use permit, or building permit ~~will~~ **may** be issued.

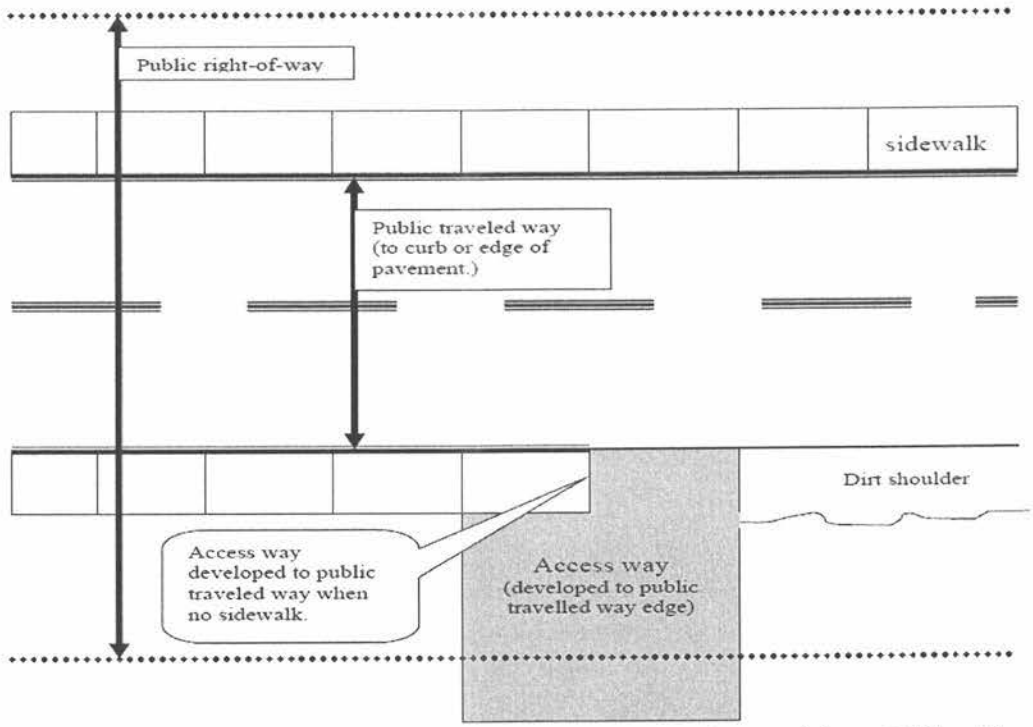


Figure 12.7: The public right-of-way encompasses much more land than the traveled way. While public utilities such as power, sanitary sewer, and water may be located above or below the traveled way, they are oftentimes located within the outer edges of the public right-of-way.

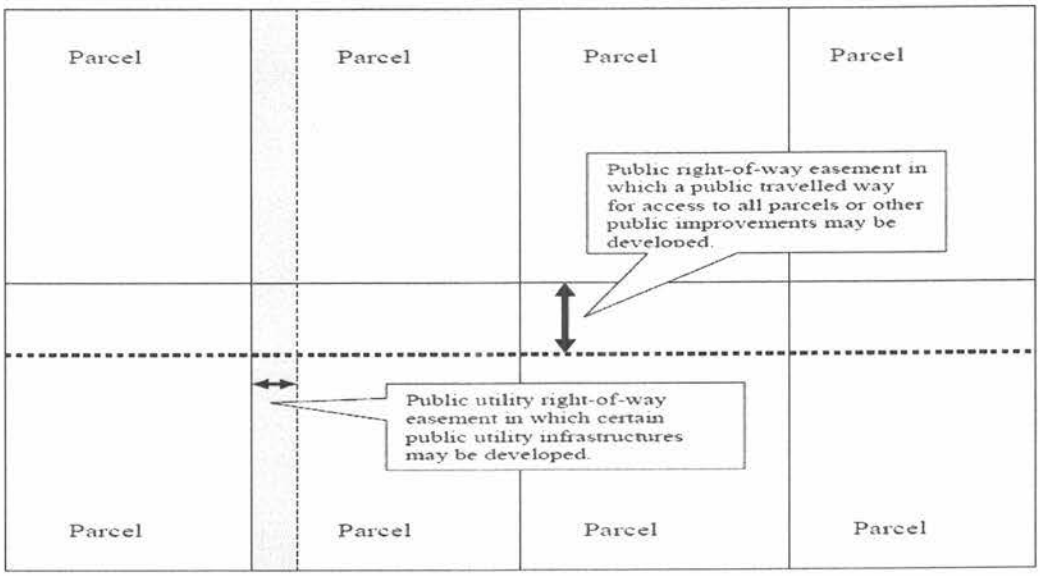


Figure 12.8: In the case illustrated above, only the lower parcels include easements for public right-of-way development. Required building setbacks must be from that easement line in accordance with section 17.40.050. Public utilities, but not transportation improvements, may be developed in the public utility right-of-way.

3. **Surface materials**. Surface materials covering the entire length of the access way must consist of a minimum coverage of one and one-half inches of gravel installed and adequately maintained by the owner of the lot or parcel to be developed, the developer, the homeowners association, or by a cooperative effort of the adjoining lot owners. A paved 20-foot approach must be installed by the developer, property owner, or association when the access way abuts a paved public traveled way. The public works director may require an extended pavement approach up to 100 feet if necessary to minimize impacts to the paved public traveled way. The surface materials installation must be inspected and approved by the ~~community development~~ **building** and public works departments.

4. **Single-ownership conditions**. When there are ~~no more than~~ 4 dwelling sites, each a minimum required area per the zoning, within a single ownership, the developed area must be served by double permanent access ways of ~~not less than~~ **at least** 50 feet in width. When there are 3 or less dwelling sites, developed area may be served by a single 50 foot access way. The access way must meet the following requirements:

   a. **Two**~~2~~ copies of an acceptable map, signed by a state land surveyor, showing the proposed layout together with any other supplementary information, must be submitted by the applicant to ~~community development department.~~ **the building and planning departments**.

   b. In the event there is a sale, trade, barter, or gift of any portion of the land covered by the provisions of this section resulting in a condition which

does not meet the terms of this section, the transaction is considered a violation of this section, and subject to any penalties herein, and be required to provide additional access ways acceptable to the planning commission.

5. **Drainage**. Appropriate storm water drainage or detention must be installed and maintained by the property owner and not negatively impact public right-of-ways. All roads and access ways must be sloped properly to prevent accumulation of storm water. All driveway culverts must be a minimum of 12 inches in diameter. Street crossing culverts, bridges, and overpasses must be developed and maintained as required by the ~~community development~~ **building, planning**, and public works departments.

6. **Fire prevention**. Property along right-of- ways and between easement lines must be kept clear of combustible materials including dead and dry vegetation and other flammables. All combustible material applicable to this subsection must be removed from the property and disposed of as required by county code**.** Failure to abate the hazardous conditions in accordance with the notice of violation may result in abatement of the hazardous conditions by the county at the cost of the property owner**.**

7. **Cuts and fills**. All cuts and fills exceeding 30 inches and that are 2:1 or steeper in slope must be mechanically stabilized. Cuts and fills exceeding 30 inches and that are flatter than 2:1 must be re-vegetated with non-invasive plant species having fire retardant characteristics. Planting or maintenance of noxious plant species is prohibited. The removal of noxious invasive plant species must comply with subsection 6.

8. **Inspection.** A site inspection by the ~~community development and fire departments~~ **building, planning departments, and the fire district** are required prior to any actual grading work being done.

17.12.100 General Provisions for ~~C, CR, IC, I1, I2, and I3 zones~~ all zones

This section applies to ~~C, CR, and I zones:~~ **all zones unless otherwise stated:**

A. Noise, smoke, odor, gases, weeds, or other noxious nuisances must be controlled so as not to become objectionable, or adversely affect the properties in the vicinity, and must not be detrimental to the public health, safety and welfare.

B. Uses involving the sale, display, **dispensing, cultivation,** or use of marijuana or ~~any~~ illegal drugs or paraphernalia commonly used or associated with the use of marijuana or any illegal drug, such as glass pipes, water pipes, roach clips, bongs, etc., is prohibited. Accessory items related to the use and sale of legal tobacco products such as rolling papers, rolling machines, tobacco pipes and pipe maintenance items are not considered "drug paraphernalia" unless they are associated with the above prohibited items**.**

C. ~~A~~ **Where a commercial business is allowed, a** special use permit is required for the display, sale, barter, or trade of items associated with a business outside of a permanent building, except for permitted temporary uses and farmer's markets. A business may not display items for sale or conduct any business on the public right-of-way (See Figure 12.~~7~~9.) or between the public traveled way and building. ~~except as may be provided for by a temporary special events permit.~~ Recessed door openings and thresholds, **and the setback area between the building front and the front property line (i.e., front yard),** may be used to display ~~and sell~~ items. ~~so long as the items or activities do not protrude beyond the outer edge of the threshold or building wall.~~

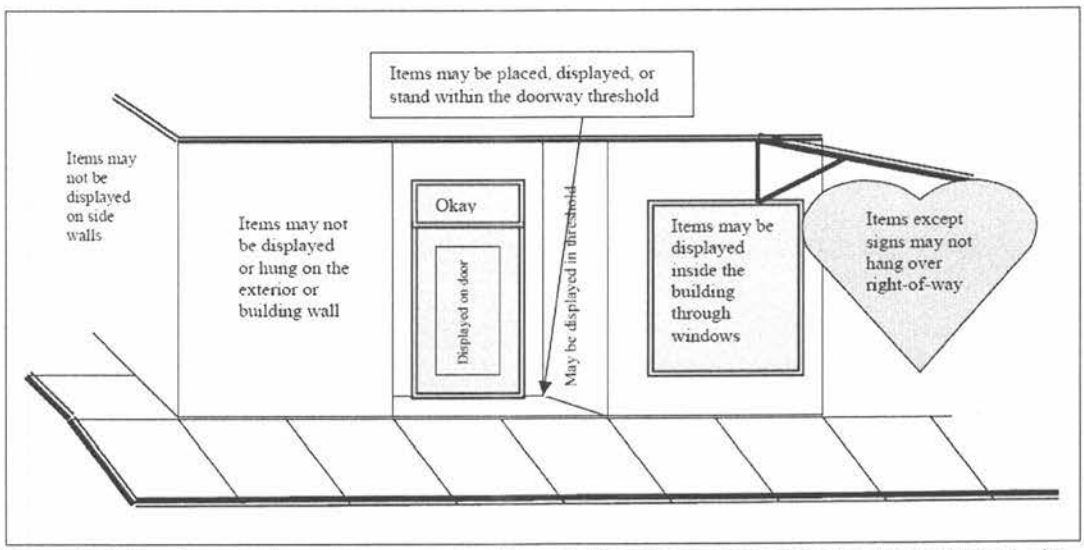


Figure 12.9: The diagram shows where merchandise and other items may and may not be displayed. The diagram does not apply to signs and advertising devices which are regulated pursuant to chapter 17.84 Signs and billboards.

D. Incidental hotel uses. Any hotel may contain business uses that are customarily conducted in conjunction **with** and incidental to the hotel. Unless the business uses are otherwise permitted in the use district in which the hotel is situated, every public entrance to the business must be from a lobby, a hallway, or other interior portion of the hotel. No sign or other advertising material of the incidental hotel use may be ~~visible from a public place~~ **placed** outside of the hotel, **except for as allowed by chapter 17.84 Signs and billboards.**

E. Outdoor lighting, including for private and public uses, must comply the regulations of chapter 8.02 Dark Skies. ~~and be arranged to reflect away from any residential zone, permitted residential uses, and abutting properties.~~

F. ~~"~~Access ways are defined by section 17.12.090. The access way for **commercial** building fronts abutting the public right-of-way are the door openings or the thresholds located at the building front.

G. **A special use permit is required for all natural resources river and waterway restoration, wetland creation, and water restoration and recycling.**

H. **Up to 4 dogs and 2 pot-belly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. A minimum of 10 acres is required to obtain a special use permit for this use. This restriction does not apply to the A Agriculture zone.**

17.12.110 Manufactured Homes Authorized

Manufactured homes as defined by chapter 17.10 Definitions, and NRS 118B.015 specifically include, without limitation, mobile homes that do not comply with the standards established by the National Manufactured Housing Construction and Safety Standards Act of 1974.

A. Manufactured homes are authorized when installed in accordance with the NRS, the regulations adopted by the Manufactured Housing Division of the Department of Business and Industry, and the county building code, including snow load, earthquake zone, and wind load requirements for the county.

B. The manufactured home must have been manufactured no more than 15 years from the date at which it is placed on a parcel. The manufactured home must meet the Nevada Division of Manufactured Housing standards for manufactured homes. (Note: The Nevada standards are required to be equal to or more restrictive than the U.S. Department of Housing and Urban Development standards; however, if there is a discrepancy and the HUD standard are shown to be more restrictive, the HUD Standards will be the governing standard). This requirement does not pertain to any manufactured or mobile home which is already installed in any area of Storey County prior to the adoption of the ordinance codified in this section.

17.12.120 Converting Manufactured and Existing Mobile Homes to Real Property

In order to permanently affix a single or ~~multSectional~~ **multi-sectional** mobile home existing at the time of adoption of this title or manufactured home to the land for the purpose of having such home assessed as real property, the structure may be affixed to the real property in any manner which a lending institution would find as acceptable for treating the manufactured home as real property. In all cases, the running gear and tongue must be completely removed from the property.

Chapter 17.15

P Public Zone

Sections:

17.15.010 Purpose and intent
17.15.020 Allowed and permitted uses
17.15.030 Uses subject to special use permit
17.15.040 Building height and width
17.15.050 Setback requirements

17.15.010 Purpose and Intent

The purpose of the P Public Zone is to achieve the following:

A. To accommodate the wide range of public institutional and auxiliary uses that are established in response to the health, safety, cultural, and welfare need of the citizens of the county;
B. To organize the assemblage of specific, non-profit, and profit public facilities into efficient, functionally compatible, and attractively planned administrative centers in conformance with the master plan;
C. To establish allowed uses and those requiring a special use permit to ensure compatibility with adjacent zones; and
D. To ensure development standards and setback requirements that are compatible with abutting regulatory zones.

17.15.020 Allowed ~~and Permitted~~ uses

The following uses are allowed in the P public zone, unless otherwise stated, when the use is owned and managed by a governmental entity or non-profit organization. A special use permit is required for each use listed in this section when it is owned or managed by a for-profit entity.

A. Buildings and facilities owned, leased, or operated by Storey County, Storey County School District, ~~or any other district~~ **other political subdivision of the Storey County or the State of Nevada**, state of Nevada, or the government of the United States, including:
    1. Agricultural use types including, general agricultural uses, agricultural animal production, custom animal processing, agricultural supplies sales, agricultural entertainment, and commercial uses.
    2. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. This use includes community gardens.
    3. Public facilities and buildings for fire, emergency services, sheriff, public works, and other governmental agencies and departments. A special use permit is required for county jails.
    4. Helipads and heliports for use only by medical evacuation transport services.
    5. Outdoor storage or maintenance of materials, vehicles, trailers, and heavy equipment, including fueling stations and maintenance buildings, associated

with public works or other government entity.

6. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, and repair (including painting and body repair).
7. Childcare where 4 or less children are cared for. A special use permit is required for more than 4 children;
8. Crisis care uses, temporary.
9. Libraries, post offices, community centers, and courts of law.
10. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential and boarding accommodations.
11. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive tails, restroom facilities, and information kiosks.
12. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, transportation garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
13. Indoor veterinarian services and shelters for small and large animals.
14. Uses involving the indoor discharge of firearms.
15. Temporary (less than 1 year) concrete and asphalt batch plants when incidental to an on-site construction project.

B. Public Utilities uses:

1. Public utility service yards, electric substations, and gas transmission stations.
2. Public utility or public service buildings, structures, and uses, not including power generation for sale to a public utility.
3. Water treatment and storage facilities and groundwater recharge.
4. Storm water drainage, detention, retention, and storage.

C. Tourism, cultural resources, and community health uses:

1. Entertainment and casual education services such as docents, guided tours on foot, gold panning, and museums.
2. Library and cultural services.
3. Farmers markets.
4. Historical sites, markers, kiosks, and attractions.
5. Archeological heritage and cultural resource centers.
6. Permanent indoor and outdoor civic auditoriums and theatres.
7. Golf courses, driving ranges, miniature golf, and country clubs.
8. Fair grounds and rodeo arenas.
9. Athletic fields, buildings, and complexes.
10. Health clubs, personal fitness gyms, swimming pools, spas, saunas, and complexes dedicated to such uses.

11. Permanent indoor and seasonal or temporary outdoor roller and ice-skating rinks and skateboard parks.

D. Healthcare Uses:

1. Healthcare facilities, including hospital services, medical services, convalescent services, continuum of care facilities for seniors, and group care services. A special use permit is required for civic convalescent and group care services.

E Accessory uses, buildings, and structures if they are incidental to a permitted use and are placed on the same lot or parcel with a permitted use, and meet the requirements of section ~~17.12.048~~ **17.12.045-046** Accessory buildings.

F. Other similar uses which are determined by the board to be consistent with the uses permitted within the zone, after considering a recommendation on the use by the planning commission.

17.15.030 Uses Subject to Special Use Permit

The following uses require a special use permit:

A. Airports, airstrips, and related facilities.

B. Helipads and heliports used for non-emergency evacuation, sheriff and government uses.

C. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.

D. Childcare facilities exceeding 4 children.

E. Health care facilities and uses, which include civic convalescent and group care services. Civic convalescent care services are not be allowed within 1,500 feet of a residential use and 2,500 feet of a public or private school or daycare.

F. Halfway houses. Halfway houses are prohibited within 1,500 feet of CR, R, and E zones and 2,500 feet of a public or private school or daycare.

G. Education facilities which include student residential and boarding accommodations.

H. County jails.

I. Solid waste recycling collection center.

J. Solid waste transfer station.

K. Solid waste collection center.

L. Permanent outdoor skateboard parks and related facilities.

M. Outdoor veterinarian services and shelters for small and large animals.

N. Zoos, animal theme and amusement parks, and other maintenance, display, or possession of 1 or more wild animals.

O. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

P. Use involving outdoor discharge of firearms.

Q. ~~Natural resources including river and waterway restoration, wetland creation, and water restoration and recycling.~~ **Natural resources river restoration regulated under section 17.12.100.**

R. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.

17.15.040 Height of Buildings and Structures

A building, manufactured ~~building, manufactured~~ home, or structure may not exceed a height of 3 stories or 45 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. Radio, television, other communication antenna, and wind energy turbine support structures are regulated pursuant to section 17.12.044 Height of buildings and structures.

17.15.050 Setback requirements

Unless otherwise stated in this section, the distance between the principal building and the property line must be in accordance with the setback requirements in the abutting regulatory zone. Setbacks for accessory buildings must meet the provisions under section ~~17.12.048~~ **17.12.045**. Distance requirements are as follows:

Abutting Zone	Front Yard Setback	Side Yard Setback	Rear Yard Setback
R1-5, R1-6, and R1-8	20 feet	8 feet	20 feet
R1-10	30 feet	8 feet	20 feet
R1-15 and R1-20	40 feet	8 feet	20 feet
R2	20 feet	8 feet	20 feet
C and CR	10 feet	10 feet	10 feet
I-C	**20 feet**	**20 feet**	**20 feet**
I1	20 feet	20 feet	20 feet
I2	50 feet	50 feet	50 feet
IS and I3	100 feet Setbacks for health care, child care, education, and crisis care uses and facilities must be one mile from an IS or I3 zone boundary.	100 feet	100 feet
F	30 feet	15 feet	40 feet
A	50 feet	50 feet	50 feet
SPR-5, SPR-6, and SPR-8	20 feet	8 feet	20 feet
SPR10	30 feet	8 feet	20 feet
SPR15 and SPR20	40 feet	8 feet	20 feet

Chapter 17.16

R1 Residential Zones

Sections:

17.16.015 Purpose and intent
17.16.020 Allowed uses
17.16.030 Uses subject to special use permit
17.16.040 Minimum floor area
17.16.050 Minimum parcel area and width requirements
17.16.060 Setback requirements
17.15.065 Height of buildings and structures
17.60.070 Home ~~occupations~~ **enterprises**
17.16.080 Distance between buildings on the same lot

17.16.015 Purpose and Intent

The R1 residential zone is established to provide for the development of single-family residential uses and to prohibit the development of uses that are incompatible and detrimental to the residential environment.

17.16.020 Allowed Uses

In an R1 residential zone, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended and designed for the following uses:

A. One single-family detached dwelling of permanent character in a permanent location.
B. Accessory uses, buildings, and structures when they are incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and comply with the regulations under section ~~17.12.048~~ **17.12.045-046.**
C. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. These uses also include community gardens.
D. ~~Child care~~ **Childcare** where 4 or less children are cared for.
E. Storage parking for recreational vehicles, boats, utility trailers, horse trailers and similar equipment owned by the occupant of the permitted principal residence, provided that such items are stored entirely on private property.

17.16.030 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions.

A. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.
B. The keeping of large domestic animals such as sheep, bovine, swine, llamas, horses, goats, and other similar domestic farm animals under the ownership of the resident occupant of the lot, provided that any combination of such animals on any one lot does not exceed 2 for the first 20,000 square feet of lot area.

Additional animals may be allowed at the rate of 1 for each additional 10,000 square feet of lot area. There must be a minimum of 400 square feet per animal of penned land area, which must be on less than 10 percent slope grade.

C. The keeping of ~~7~~ **5** or more dogs **or 3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

D. Bed and breakfast inns offering accommodations for up to 8 guests, subject to providing one off-street parking space for each sleeping room.

E. Short-term vacation rental of a single-family detached residential dwelling. This provision does not apply to long-term rental and lease arrangements.

F. Child care facilities where 5 or more children will be cared for. Child care must not exceed 15 children.

G. Natural resources river restoration regulated under section 17.12.100.

~~G~~**H**. Civic uses including:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
2. Helipads and heliports for use only by medical evacuation transport services. ~~Any other use is prohibited~~. **These uses are prohibited for any other purpose.**
3. Crisis care use, temporary.
4. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial, but not including student residential accommodations.
5. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

17.16.040 Minimum Floor Area

In the R1 residential zone, no detached single-family dwelling may have a floor area of less than 800 square feet for a one-bedroom residence; 1,000 square feet for a two-bedroom residence; and 1,200 square feet for a three or more bedroom residence.

17.16.050 Minimum Parcel Area and Width Requirements

Each R1 residential zone must have a minimum parcel area limit. The minimum parcel area limit number is the suffix for the respective zone (e.g., "R1-5" is an R1 zone with 5,000 square feet minimum parcel area). ~~No R1 zone may allow a parcel to be less than 5,000 square feet in area.~~ **A parcel zoned R1 must be at least 5,000 square feet.** The area contained within the R1 zone parcel must include all easements, including easements for access to an adjacent parcel. The minimum area **and width for** ~~in~~ each R1 Residential zone is indicated in the following table:

Zone and Suffix	Minimum Lot Area (square feet)	Minimum Width From Street (feet)
R1-5	5,000	50
R1-6	6,000	50
R1-8	8,000	60
R1-10	10,000	60

Zone and Suffix	Minimum Lot Area (square feet)	Minimum Width From Street (feet)
R1-15	15,000	80
R1-20	20,000	100

17.16.060 Setback Requirements

The required distance between the building and the property line is shown in the following table. Setback requirements for accessory structures must comply with ~~the regulations under~~ section ~~17.12.048~~ **17.12.045.**

Zone and Suffix and **Lot Configuration**	Front Setback	Side Setback	Rear Setback
R1-5, R1-6, and R1-8	20 feet	8 feet	20 feet
R1-10 and R1-15	30 feet	8 feet	20 feet
R1-20	40 feet	8 feet	20 feet
Corner lot facing two streets	**Same as above**	**10 feet street side; 8 feet non-street side**	**Same as above**

17.15.065 Height of Buildings and Structures

A building~~, manufactured building,~~ manufactured home, or structure may not exceed a height of 3 stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. The height of support structures (towers) for radio, television, other communication antennas, and wind energy turbines is regulated under chapter 17.12 General provisions.

17.60.070 Home ~~occupations~~ enterprises

Home ~~occupations~~ **enterprise** are regulated ~~pursuant to~~ **under** chapter 17.12 General provisions.

17.16.080 Distance Between Buildings on the Same Lot

There must be a minimum distance of 10 feet between a building used for dwelling purposes and an accessory building. There must be a minimum distance of 6 feet between accessory buildings.

Chapter 17.20

R2 Multi-Family Residential Zone

Sections:

17.20.010 Applicability
17.20.015 Purpose and intent
17.20.020 Allowed uses
17.20.025 Uses subject to special use permit
17.20.030 Minimum parcel area
17.20.035 Home ~~occupations~~ **enterprises**
17.20.040 Setback requirements
17.20.050 Height of buildings and structures
17.20.060 Signs

17.20.015 Purpose and Intent

The R2 multi-family residential zone is established to provide for the development of medium or higher density multi-family residential uses and to prohibit the development of incompatible uses which are detrimental to the residential environment.

17.20.020 Allowed uses

In an R2 multi-family residential zone, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended and designed for the following uses:

A. ~~One single-family detached dwelling of permanent character in a permanent location.~~ **Residential uses and buildings of permanent character and permanent location including the following.**

   1. One single-family dwelling, detached. The parcel containing this use must be at least 5,000 square feet.

   2. One or more single-family dwellings, attached. This use includes townhouses, rowhouses, twinhomes, and condominiums. There shall be no more than one principal building per lot. There shall be no more than 1 dwelling unit allowed for every 2,000 square feet of gross lot area. A special use permit may be granted for increased dwelling units per square feet of gross lot area when the use is located within the Virginia City Downtown District boundaries (see Chapter 17.30 Appendix A). Findings for approval of the special use permit for increased density shall, at a minimum, cite no significant adverse impacts to area vehicular parking, circulation, and egress, and public health, safety, comfort, convenience, and general welfare.

   3. Multi-family dwellings. This use includes apartment buildings, apartment complexes, duplexes, triplexes, and other configurations of multi-family uses. There shall be no more than 1 dwelling unit allowed for every 2,000 square feet of gross lot area. A special use permit may be

granted for increased dwelling units per square feet of gross lot area when the use is located within the Virginia City Downtown District boundaries (see Chapter 17.30 Appendix A). Findings for approval of the special use permit for increased density shall, at a minimum, cite no significant adverse impacts to area vehicular parking, circulation, and egress, and public health, safety, comfort, convenience, and general welfare.

4. Accessory uses, buildings, and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and comply with the regulations of section (B) below and section 17.12.045 Accessory buildings.

5. Manufactured and mobile home parks are prohibited.

~~B. Single-family attached dwellings of a permanent character in a permanent location, including row-houses, townhouses, and condominiums, provided that no more than 1 unit is allowed for every 2,000 square feet of gross lot area.~~

~~C. Multi-family dwelling such as low-rise apartment buildings, duplexes, triplexes and fourplexes provided that no more than 1 unit is allowed for every 2,000 square feet of gross lot area.~~

B. Accessory uses, buildings, and structures when they are incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and comply with the regulations under section **17.12.045.** ~~17.12.045. Accessory~~ **Examples of accessory uses incidental to the uses allowed in the R2 zone include** ~~uses for multi-family dwelling buildings may include an accessory~~ self-service or coin-operated laundry facility~~ies~~, manager's office, swimming pool and related uses, recreation facilities and buildings, community center, and other uses which customarily serve residents within ~~a~~ **the** multi-family dwelling property. Accessory uses may be permitted by the director but are subject to special use permit requirement.

~~E. Manufactured and mobile home parks are prohibited.~~

~~F.~~**C** ~~Child care~~ **Childcare** where 4 or less children are cared for. **A special use permit is required for more than 4 children.**

~~G.~~**D** Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

~~H.~~**E** Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential accommodations.

17.20.025 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions.

A. **Boarding accommodations including apartment hotels, dormitories, rooming and boarding houses, bed-and-breakfast inns, time-shares, and short-term vacation rentals. A special use permit is not required for long-**

term rental and lease arrangements. Hotels, motels, hostels and other transient commercial lodging uses are prohibited.

B. Congregational uses including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

~~B.~~**C.** ~~Child care~~ **Childcare** facilities where 5 or more children will be cared for. Child care must not exceed 15 children.

~~C.~~**D.** Temporary real-estate tract offices not located within a permanent structure.

~~D.~~**E.** Civic uses including:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other use.
3. Crisis care uses, temporary.
4. Libraries, governmental offices, post offices, and community centers
5. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

~~E.~~**F.** Education facilities that include student residential accommodations.

G. Natural resources river restoration regulated under section 17.12.100.

H. Multi-family and attached single-family dwellings with density exceeding 1 unit for every 2,000 square feet of gross lot area (see Section 17.20.020).

F.**H.** ~~Boarding accommodations including residential apartment hotels, dormitories, rooming and boarding houses, bed and breakfast inns, time-shares, and short-term vacation rentals. A special use permit is not required for long-term rental and lease arrangements. Hotels, motels, hostels and other transient commercial uses are prohibited.~~

17.20.030 Minimum Parcel Area

~~Each~~ **The** lot or parcel must have a minimum area of 8,000 square feet. The minimum gross lot area per dwelling unit or suite is 2,000 square feet, and the maximum number of units allowed on any one lot or parcel is determined by dividing the total area by 2,000.

17.20.035 Home ~~Occupations~~ Enterprises

Home ~~occupations~~ **enterprises** are regulated pursuant to chapter 17.12 General provisions.

17.20.040 Setback Requirements

The minimum distance between a building and the property line is indicated in the following table. Setback requirements for accessory structures must comply with the regulations under section ~~17.12.048~~ **17.12.045.**

~~Front Setback~~	~~Side Setback~~	~~Rear Setback~~
~~20 feet~~	~~8 feet (except street side yards must be 20 feet)~~	~~20 feet~~

Lot Configuration	Front Setback	Side Setback	Rear Setback

Regular lot	**20 feet**	**8 feet**	**20 feet**
Corner lot facing two streets	**20 feet**	**20 feet street side; 8 feet non-street side**	**20 feet**

17.20.050 Height of Buildings and Structures

A building, ~~manufactured building,~~ manufactured home, or structure may not exceed a height of 3 stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. Radio, television, other communication antenna, and wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

17.20.060 Signs

Signs associated with multi-family residential uses must comply with the regulations under chapter 17.84 Signs and billboards.

Chapter 17.24

Agricultural Zone

Sections:

17.24.015 Purpose and intent
17.24.020 Allowed uses
17.24.020 Uses subject to special use permit
17.24.030 Minimal parcel area
17.24.040 Setback requirements
17.24.050 Height of buildings and structures

17.24.015 Purpose and Intent

The ~~"A"~~ **A** agricultural zone is intended to protect and preserve areas of prime agricultural soils for continued agricultural and agriculturally oriented uses. These areas consist of the most agriculturally productive soils. Their loss cannot be readily compensated, since these soils are relatively scarce, particularly on the natural level, and poorer soils require more capital energy and nutrients to provide equal productivity.

17.24.020 Allowed uses

The following uses are allowed in the A agricultural zone:

A. ~~+~~ **One** single-family detached dwelling of a permanent nature in a permanent location.

B. General agricultural uses.

C. Agricultural animal production.

D. Custom animal processing.

E. Agricultural entertainment and commercial uses.

F. The growing or production of trees, shrubs, bushes, sod, and other plants for nursery stock, off-site milling and processing, off-site commercial sale, and other uses.

G. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

H. Seasonal holiday sales and uses.

I. Harvesting, curing, processing, packaging and storage incidental to the principal permitted uses on the premises and shipping of agricultural products produced on the premises.

J. The keeping of bees for agricultural purposes when beehives are setback at minimum of 200 feet from CR, E, ~~and~~ R, **and SPR** zones and occupied residential uses within the premises, and 50 feet from any shared access easement or public right-of-way.

K. Veterinary service and shelters for large and small animal.

L. Equestrian establishments, including stables and riding academies, rodeos and equestrian events.

M. Farm machinery equipment sales and services.

N. ~~Child care~~ **Childcare** of 4 or less children.

O. Home ~~occupations~~ **enterprises** are regulated pursuant to chapter 17.12 General provisions.

P. Two signs of 32 square feet each used only to advertise the agricultural products produced or sold on the premises or identifying the premises or the occupants.

Q. Accessory use, buildings, and structures incidental to ~~the permitted use,~~ **allowed agriculture uses,** placed upon the same lot or parcel with ~~a permitted~~ **the allowed agriculture** uses, and compliant with ~~the regulations under~~ section ~~17.12.048~~ **17.12.045-046**. A special use permit is required for accessory ~~structures~~ **dwellings. Accessory dwellings may include those listed in section 17.12.046, and may include those** used to house or provide boarding accommodations to laborers and other persons directly associated with the permitted agricultural use. **A principal building is not required for accessory structures incidental to allowed agriculture uses on the premises; however, a principal single-family residential dwelling is required for an accessory dwelling to be approved.** The following uses are found to be customary to the ~~permitted~~ **allowed agriculture** uses. ~~in the agricultural zone~~:

1. Uses accessory to the principal residence, including private garages, garden houses, playhouses, greenhouses, enclosed swimming pools, tool sheds, storage sheds, well houses, hobby shops, and similar buildings.
2. Uses accessory to the general agricultural use including barns, grain silos, water towers, and storage facilities for products, machinery and equipment directly related to the agricultural uses taking place on the ~~immediate~~ premises.
3. Buildings used for the confinement or protection of animals, animal feed, and agricultural commodities.
4. Private riding arenas and stables.
5. Temporary stands for selling goods and products produced on-site, provided that the stands **are** ~~clearly~~ temporary, ~~less than~~ 200 square feet ~~in area~~ **or less**, located on the premises in which the products sold were raised or grown, no less than 20 feet from a public right-of-way, and are placed with the premises no more than 15 days within a 1 year period.

17.24.025 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for by chapter 17.03 Administrative provisions.

A. Industrial agricultural uses including intensive agricultural uses, slaughter houses, agricultural packing and processing, stockyards, and auction facilities. A

minimum of 40 acres is required. Industrial agricultural uses may be located no closer than 500 feet to a CR, R, or E zone and 50 feet from a parcel or lot boundary.

B. Agricultural research.

C. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors~~;~~.

D. Dude or guest ranches~~;~~**.**

E. Accessory ~~structures~~ **dwellings** used to house or provide boarding accommodations to laborers and other persons directly associated with the agricultural use.

F. Golf courses, driving ranges, ~~and miniature golf~~ and country clubs.

G. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

H. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

~~I. Recreational vehicle parks and recreational resorts.~~

J. Residential and non-residential facilities for pediatric and adolescent rehabilitation, family wellness, and therapy that is fully integrated with agricultural, equestrian, and other similar type activities and uses.

K. Temporary (less than 1 year) concrete and asphalt batch plants when incidental to an on-site construction project.

L. The keeping, maintenance, display, or possession of one or more wild animals.

M. Pet cemeteries.

N. Commercial kennels. A minimum of 10 acres is required.

O. Campgrounds, **but not recreational vehicle parks**.

P. Open storage.

~~P.~~**Q.** ~~Child care~~ **Childcare** facilities where five 5 or more children will be cared for. ~~Child care~~ **Childcare** must not exceed 15 children.

~~Q.~~**R.** Watchman's dwelling, ~~whether~~ permanent or temporary **regulated under section 17.12.046.**

S. Natural resources river restoration regulated under section 17.12.100.

17.24.030 Minimal Parcel Area

Parcels zoned "A" agricultural must be ~~no less than~~ **at least** 3 acres. ~~and must not be allowed to be reduced to less than the minimum area required by this chapter.~~

17.24.040 Setback Requirements

Required setbacks for the ~~primary~~ **principal** residential dwelling ~~must be~~ **are** the minimum setbacks of the abutting zone, but no less than 10 feet. Accessory ~~structures.~~ **buildings,** including laborer boarding accommodations, must ~~have a minimum setback distance of~~ **be setback a minimum of** 100 feet ~~to~~ **from** any property line. The required setback for other rooming and boarding accommodations, such as bed and breakfast inns and dude ranches allowable by this chapter, ~~must be~~ **are** the minimum setbacks of the abutting zone, but no less than 20 feet, unless more stringent setback requirements are imposed as a condition of the special use permit.

17.24.050 Height of Buildings and Structures

A building, ~~manufactured building,~~ manufactured home, or structure may not exceed a height of three stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. Radio, television, other communication antenna, and wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

Chapter 17.28

C Commercial Zone

Sections:

17.28.010 Applicability
17.28.015 Purpose and intent
17.30.020 Allowed uses
17.28.030 Uses subject to special use permit
17.28.040 Height and width of buildings and structure
17.28.050 Setback requirements

17.28.010 Applicability

The provisions under this chapter apply to the C commercial zone. Uses in the CR commercial-residential zone are regulated by chapter 17.30 Commercial-residential zone **and uses in the IC Industrial-commercial zone are regulated by chapter 17.39 Industrial-commercial zone.**

17.28.015 Purpose and Intent

The purpose of the C commercial zone is to provide suitable areas within the county where commercial uses and activities may be established and maintained to promote efficiency by grouping compatible land uses, and to protect the residential areas from adverse impacts that may be associated with commercial uses.

17.28.020 Allowed Uses

The following uses are allowed in the C commercial zone unless stated otherwise:

A. Retail sales and shopping centers including:
   1. General stores, shopping centers, convenience stores, principal grocery stores, neighborhood stores and shopping centers, regional stores and shopping centers, and super regional stores and shopping centers.
   2. Seasonal holiday sales and uses.
   3. Seasonal farmers markets.

B. Commercial offices and financial institutions:
   1. Real-estate permanent office, banks and credit unions, accountants, insurance, employment agencies, consulting firms, manufacturer representatives, newspapers, secretarial services, associations and other similar office uses and activities.
   2. Building maintenance and services.
   3. Business offices and professional buildings.
   4. Convention and meeting facilities.

C. Personal services:
   1. Barbers, hair stylists, beauticians, manicurists/pedicurists, spas, salons, tailors, massage establishments, and similar type uses.
   2. Wedding chapels and travel agencies.
   3. ~~Child care~~ **Childcare** where 4 or less children are cared for. A special use

permit is required for more than 4 children.

4. Laundromats, personal dry cleaning, and laundry services.

D. Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, time shares, and vacation rentals, **and other transient commercial lodging.**

E. Tourist and visitor services:

1. Eating and drinking establishments such as restaurants, cafes, drive-in diners, fast-food, coffee shops, ~~and~~ coffee houses, **and** soda-fountains~~,~~**; and** saloons, ~~and~~ taverns, ~~and micro-breweries~~ **brew-pubs, micro-breweries, and micro-wineries** with on- and off-site sales. **A special use permit is required for micro-distilleries.**
2. Entertainment and casual education services such as docents, guided tours on foot, gold panning, and museums.
3. Equestrian facilities and uses including riding arenas, stables, horse and pony rides, and carriage and stagecoach rides.

F. Recreation. Bowling lanes, billiard parlors and pool halls, arcades, gaming (when incidental to a primary use and limited to no more than 15 slot and/or video machines), golf driving ranges, miniature golf, country clubs, health clubs and personal fitness gyms, swimming pools and saunas, tennis courts, permanent indoor and seasonal outdoor roller and ice skating rinks and facilities, permanent indoor and seasonal or temporary outdoor theatres, and other similar recreational uses and activities.

G. Civic uses:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other ~~use.~~ **purpose.**
3. Crisis care use, temporary.
4. Libraries and cultural services, governmental offices, post offices, community centers, and courts of law.
5. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential accommodations.
6. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
7. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
8. Indoor veterinarian services and shelters for large and small animals.

H. General services:

1. Catering, equipment and appliance repair, gun repair, general contractors offices, heavy and light equipment rental, feed and tack stores, manufactured

home sales and service, pawn brokers, pet sales and grooming, print shops, upholstery shops, video rentals, and other similar general services uses and activities.

2. Uses involving the indoor discharge of firearms.
3. Uses involving indoor archery.

I. Automotive services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (but not body repair and painting), sales, and rental.

J. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

K. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

L. Signs as regulated by chapter 17.84 Signs and billboards.

M. Accessory use, buildings and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and in conformance with section ~~17.12.048~~ **17.12.045.**

N. Other uses similar to the above which are determined by the board with action by the planning commission to be consistent with the uses permitted within the zone.

17.28.030 Uses Subject to Special Use Permit

~~A.~~ Unless stated otherwise, the following uses may be permitted subject to securing a special use permit pursuant to chapter 17.03 Administrative provisions.

~~1.~~**A.** Automobile paint shops and body repair shops.

~~2.~~**B.** Buildings and structures constructed for permitted uses as listed in section 17.28.020 that will exceed 45 feet in height, or that will be less than 25 feet in width.

~~3.~~ **C** Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots and/or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.

~~4.~~**D.** Manufactured home sales lots.

~~5.~~**E.** Propane sales and storage.

~~6.~~**F.** Firewood sales and storage.

~~7.~~**G.** Fortune tellers, astrology parlors, clairvoyance and palmistry. Additionally, uses under this subsection must comply with the regulations under title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and 300 feet from any E, R, or SPR zone.

~~8.~~**H.** Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

~~9.~~**I.** Recreational vehicle (RV) parks.

~~10.~~**J.** Billboards as regulated pursuant to Chapter 17.84 Signs and billboards.

~~11.~~**K.** The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

~~12.~~**L.** Commercial kennel. A minimum of 10 acres is required.

~~13.~~**M.** Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.

~~14.~~**N.** Healthcare facilities including hospital services, medical services, convalescent services, civic convalescent and group care service, continuum of care facilities for seniors, and group care services.

~~15.~~ **O.** Crisis care uses and facilities, permanent.

~~16.~~**P.** Open-air markets, flea-markets, and similar outdoor venues for the sale of goods, not including farmers markets featuring exclusively the sale of edible and items made from edible products.

~~17.~~**Q.** Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, monument works, and similar uses.

~~18.~~**R.** Outdoor veterinarian services and shelters for small and large animals.

~~19.~~**S.** Permanent outdoor skateboard parks and related facilities.

~~20.~~**T.** Display, sale, barter, or trade of items associated with a business outside of a permanent building, except farmer's markets pursuant to this chapter and permitted temporary uses. The sale and display of merchandise and other items, and business that is conducted on the public right-of-way and between the public travelled way and the building is prohibited pursuant 17.12 General provisions.

~~21.~~**U.** Outdoor storage or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.

~~22.~~**V.** Uses involving the outdoor discharge of firearms.

~~23.~~**W.** Uses involving outdoor archery.

~~24.~~**X.** Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.

~~25.~~**Y.** Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.

~~26.~~**Z.** Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.

~~27.~~**AA.** Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.

~~28.~~**BB.** Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.

~~29.~~**CC.** Child care of more than 4 children.

~~30.~~**DD.** Education facilities that include student residential and boarding accommodations.

~~31.~~**EE.** Temporary real-estate tract offices not located within a permanent structure.

~~32.~~**FF.** Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.

~~33.~~**GG.** Permanent outdoor theatres and other uses involving the outdoor discharge of firearms

HH. Micro-distilleries

II. Open storage.

~~34.~~**JJ.** Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.

~~35.~~**KK.** Retail establishments featuring "adult" material not exceeding 5 percent or 200 square-feet, whichever is less, of the retail floor area of the business that is identified for display, sale, lease, or rental of books, merchandise, periodicals, video tapes, video disks including DVDs and other recorded video devices, computer disks, 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. The merchandise must be located within a fully enclosed room which is entirely segregated from the remaining floor area of the business and the room's entrance must be screened from view of the remaining floor area. Retail establishments featuring the above material in excess of the allowable retail floor area are prohibited.

LL. Natural resources river restoration regulated under section 17.12.100.

17.28.040 Height and Width of Buildings and Structures

A building, ~~manufactured building~~, manufactured home, or structure may not exceed a height of three stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. Radio, television, other communication antenna, and wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

17.28.050 Setback Requirements

~~A front setback or side setback is not required, except wherever a building is located on a lot adjacent to an R1, R2 or E zone boundary a side setback of not less than ten feet on the side of the building adjacent to the zone boundary line is required. A rear setback of ten feet is required behind every building.~~ **Front and side setbacks for commercial uses are 0 (zero) feet unless the use abuts an E or R zone or a permitted detached single-family residential use in other zones. When the commercial use or structure abuts an E or R zone or a detached single-family residential use in other zones, the abutting side minimum setback distance is 8 feet, and the front minimum setback is 20 feet or a distance that equals that of the side setback of the abutting single-family residential use. The minimum rear setback is 10 feet.**

Chapter 17.30

CR Commercial Residential Zone

Sections:

17.30.010 Applicability
17.30.015 Purpose and intent
17.30.020 Allowed uses
17.30.030 Uses subject to special use permit
17.30.040 Height and width of buildings and structures
17.30.050 Setback requirements
17.30.060 Use density **and parcel width**
Appendix A – Virginia City Downtown District boundaries

17.30.010 Applicability

The provisions under this chapter apply to the CR commercial-residential zone. Uses in the C commercial zone are regulated by chapter 17.28 commercial zone, **and uses in the IC industrial-commercial zone are regulated by chapter 17.39 industrial-commercial zone.**

17.30.015 Purpose and Intent

The commercial-residential zone is intended to serve as a community focal point and provided for a center of mixed uses including single-family and multi-family residences which are integrated with commercial businesses, culture and entertainment amenities, and uses related to tourism. It is also intended to become a transportation center in the form of a destination for vehicular, public transit, and rail traffic supporting all allowable uses. In general, the zone provides for centers and uses of regional importance and provides an integrated and attractive environment for visitors and residents. It is intended to be an area of high intensity uses in which a full range of public facilities (including water, sewer, schools, law enforcement, fire protection, etc.) will generally be focused in accordance with the county master plan and connected to the immediate surrounding residential uses.

17.30.020 Allowed uses

The following uses are allowed in the CR commercial-residential zone unless stated otherwise:

A. Retail uses and shopping centers:

1. General stores, shopping centers, convenience stores, principal grocery stores; and neighborhood stores and shopping centers.
2. Seasonal holiday sales and use.
3. Seasonal farmers markets.
4. The display, sale, lease, or rental of "adult" material is prohibited. Adult material includes books, merchandise, periodicals, video tapes, video disks including DVDs and other recorded video devices, computer disks,

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".

B. Commercial offices and financial institutions:

1. Real-estate permanent office, banks and credit unions, accountants, insurance, employment agencies, consulting firms, manufacturer representatives, newspapers, secretarial services, associations and other similar office uses and activities.
2. Building maintenance and services.
3. Business offices and professional buildings.
4. Convention and meeting facilities.

C. Personal Services:

1. Barbers, hair stylists, beauticians, manicurists/pedicurists, spas, salons, tailors, massage establishments, and similar type uses.
2. Wedding chapels and travel agencies. A special use permit is required for cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.
3. ~~Child care~~ **Childcare** where 4 or less children are cared for. A special use permit is required for more than 4 children.
4. Laundromats.
5. Laundry and dry cleaning pick-up service. A special use permit is required for personal dry cleaning services.
6. Indoor veterinary service for small animals.

~~D. Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, short-term vacation rentals, time shares, apartment hotels, and other commercial transient uses.~~

E. Tourist and visitor services:

1. Eating and drinking establishments such as restaurants, cafes, drive-in diners, fast-food, coffee shops, ~~and~~ coffee houses, **and** soda-fountains~~.~~**; and** saloons, ~~and~~ taverns, ~~and micro-breweries~~ **brew-pubs, micro-breweries, and micro-wineries** with on- and off-site sales. **A special use permit is required for micro-distilleries.**
2. Entertainment and casual education services such as docents, guided tours on foot, gold panning, and ~~commercial (for-profit)~~ museums.
3. Equestrian facilities and uses including riding arenas, stables, horse and pony rides, and carriage and stagecoach rides.

F. Recreation including bowling lanes, billiard parlors and pool halls, arcades, gaming (when incidental to a primary use and limited to no more than 15 slot and/or video machines), golf driving ranges, miniature golf, country clubs,

health clubs and personal fitness gyms, swimming pools and saunas, tennis courts, permanent indoor and seasonal outdoor roller and ice skating rinks and facilities, permanent indoor and seasonal or temporary outdoor theatres, and other similar recreational uses and activities.

G. Civic uses:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other ~~use~~ **purpose.**
3. Crisis care uses, temporary.
4. Libraries and cultural services, governmental offices, post offices, community centers, and courts of law.
5. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for education institutions and academies that include student residential and boarding accommodations.
6. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
7. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, transportation garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.

H. General services:

1. Catering, equipment and appliance repair, gun repair, general contractors offices, heavy and light equipment rental, feed and tack stores, pawn brokers, pet sales and grooming, print shops, upholstery shops, video rentals, and other similar general services uses and activities. Businesses featuring "adult material" are prohibited.
2. Uses involving the indoor discharge of firearms.
3. Uses involving indoor and outdoor archery.

I. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

J. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

K. Boarding accommodations including hotels, motels, hostels, bed and breakfast inns, short-term vacation rentals, time shares, apartment hotels, and other ~~commercial~~ transient **commercial lodging** ~~uses~~.

L. Residential uses and buildings **of permanent character and permanent location** ~~as follows.~~ **including the following.**

1. One single-family dwelling, detached. **The parcel containing this use must be at least 5,000 square feet.** ~~of permanent character in a permanent location.~~
2. **One or more s**ingle-family dwellings, attached. ~~of a permanent character in a permanent location,~~ **This use includes** townhouses ~~and~~, **rowhouses, twinhomes, and** condominiums. **There shall be no more than one principal building per lot. There shall be no more than 1 dwelling unit allowed for every 2,000 square feet of gross lot area except as provided by section 17.30.050.**~~, but not row houses, provided that no more than 1 unit is allowed for every 2,000 square feet of gross lot area.~~
3. Multi-family dwellings. ~~**such as low-rise apartment buildings, duplexes, triplexes, and fourplexes.**~~ **This use includes apartment buildings, apartment complexes, duplexes, triplexes, and other configurations of multi-family uses except as provided by section 17.30.050.** ~~provided that no more than 1 unit is allowed for every 2,000square feet of gross lot area.~~
4. Accessory uses, buildings, and structures if they are clearly incidental to a permitted **residential** use, placed upon the same lot or parcel with a permitted use, and comply with the regulations of section ~~17.12.048~~ **17.12.045-046**.
5. Manufactured and mobile home parks are prohibited.

L. Other uses similar to the above which are determined by the board with action by the planning commission to be consistent with the uses permitted within the zone.

17.30.030 Uses Subject to Special Use Permit

Unless stated otherwise, the following uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions:

A. Buildings and structures exceeding 45 feet in height or less than 25 feet in width.

B. Recreational vehicle (RV) parks.

C. Regional stores and shopping centers and super regional stores and shopping centers.

D. Automotive washing and detailing using coin-operated and production line methods.

E. Automotive services including service and fueling stations, repair, sales, and rentals.

F. Casinos and gaming establishments of more than 5,000 square feet of total floor area where slots and/or video machines are located, where there are more than 15 slots or video machines, and where other forms of gambling such as poker, craps, blackjack, keno, sports book and other similar activities may take place.

G. Golf courses.

H. Fairgrounds, rodeo arenas, horse and other animal competition tracks and arenas, and similar uses.

I. Outdoor veterinary service for small animals.

J. Amusement parks involving various devices for entertainment such as thrill and theme rides, roller-coasters, water slides, and games and concession booths.

K. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.

L. Fortune teller, astrology parlor, clairvoyance and palmistry. Uses under this subsection must comply with the requirements under title 5 Business licenses, and be located no closer than 1,000 feet from a public or private school, religious institution, public building or facility, or another permitted fortune teller, astrology parlor, clairvoyance and palmistry use, and 300 feet from any E, R, or SPR zone.

M. Race tracks and arenas involving the use of automobiles, trucks, tractors, and other motorized vehicles.

N. Facilities for the use of radio-controlled (RC) cars, vehicles, watercraft, and aircraft.

O. Healthcare facilities including hospital services, medical services, convalescent services (but not civic convalescent and group care service), continuum of care facilities for seniors, and group care services.

P. Crisis care uses and facilities, permanent.

Q. Education facilities which include student residential and boarding accommodations.

R. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

S. Commercial kennels when entirely indoors. A minimum of 10 acres is required.

T. Mini-warehouses and storage facilities for rent, including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.

U. Outdoor storage or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.

V. Open-air markets, flea-markets, and similar outdoor venues for the sale of goods. A special use permit is not required for farmers markets featuring the sale of edible and items made of edible products.

W. Permanent outdoor skateboard parks and related facilities.

X. Display, sale, barter, or trade of items associated with a business outside of a permanent building, except farmer's markets pursuant to this chapter and permitted temporary uses. The sale and display of merchandise and other items, and business that is conducted on the public right-of-way and between the

public travelled way and the building is prohibited pursuant 17.12 General provisions.

Y. Personal dry cleaning.

Z. Micro-distilleries.

~~Z~~**AA.** ~~Child care~~ **Childcare** facilities where five 5 or more children will be cared for. ~~Child care~~ **Childcare** must not exceed 15 children.

~~AA~~**BB.** Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.

~~BB~~**CC.** Temporary real-estate tract offices not located within a permanent structure.

~~CC~~**DD.** Uses involving the outdoor discharge of firearms.

EE. Open Storage.

~~DD~~**FF.** Zoos, animal theme and amusement parks, and other maintenance, display, or possession of one or more wild animals.

GG. Multi-family and attached single-family dwellings with density exceeding 1 unit for every 2,000 square feet of gross lot area (see Section 17.30.020).

HH. Natural resources river restoration regulated under section 17.12.100.

17.30.040 Height and Width of Buildings and Structures

A building~~, manufactured building,~~ manufactured home, or structure may not exceed a height of 3 stories or 45 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys or flagpoles. The height of support structures (towers) for radio, television, other communication antennas, and wind energy turbines is regulated under chapter 17.12.**044** ~~General provisions.~~ **Height of buildings and structures.**

~~**17.30.050 Setback Requirements**~~

~~The required distance between buildings and the property line is as follows:~~

~~A. **Generalsetbacks.** A front yard or side yard setback is not required for commercial use or structures unless it abuts an E or R zone or a permitted detached single-family residential use in other zones,. When the commercial use or structure abuts an E or R zone or a detached single-family residential use the abutting side yard setback distance must be no less than 8 feet, and the front yard setback must be no less than 20 feet., or a distance that equals that of the side yard abutting detached residential use.When the commercial use or structure abuts a detached single-family residential use on 2 sides, the front yard setback area must be no less than is 20 feet or the average of the setback distances of both side yard abutting residential uses. A variance for reduced setback requirements may be granted pursuant to chapter 17.03 Administrative provisions.~~

17.30.050 Setback Requirements

The following are the required setback distances for uses in the CR zone. For the purposes of this section, the Virginia City Downtown District means all parcels delineated in Appendix A. Setback distances must also comply with section

17.12.050 Visibility at intersections.

A. Commercial uses

1. **Virginia City Downtown District. Front and side setbacks for commercial uses are 0 feet. However, if the use abuts an E or R zone, or a permitted detached single-family residential use in other non-CR zones, the abutting minimum side setback is 8 feet, and the front minimum setback is 20 feet. The required rear setback is 10 feet.**
2. **Other areas zoned CR. Front and side setbacks for commercial uses are the same as for those shown in subsection (1) above (i.e., zero feet). However, if the parcel in which a new commercial building is to be developed abuts on one or both side(s) a parcel(s) containing an existing permitted detached single-family dwelling, the front setback for the new commercial building shall be 20 or more feet, or shall be the average distance between the front outside wall (excluding porches and awnings) of the existing detached single-family residential dwelling(s) and the front property line (see Figure 30.1), or otherwise beyond that average distance. If the existing neighboring single-family residential dwelling is setback more than 20 feet from the front property line, the required 20 foot setback, not the actual structure distance, shall be the determining point for establishing the average for the new commercial structure.**
3. ~~Special setback requirements in Gold Hill.~~ **State Route 342 Setbacks in Gold Hill.** Except under the following circumstances, setback distances must meet the requirements in subsections **1 and 2 above.**
    a. For buildings located between the Virginia City/Gold Hill city limits line and Sky Lane in Gold Hill, the minimum setback distance between the building and State Route 342 is 5 feet. This requirement applies to all properties abutting State Route 342.
    b. For buildings located between Sky Lane and the Storey/Lyon County boundary, the minimum setback distance between the building and State Route 342 is 20 feet. This requirement applies to all properties abutting State Route 342.

B. Residential uses

1. Virginia City Downtown District

a. **Single-Family Dwelling, Detached. Setbacks are: front, 0 feet; side, 0 feet; and rear, 10 feet. There shall be no primary emergency egress doors or windows placed on the building side walls, unless the subject side walls, doors, and windows are setback a minimum of 5 feet from the side lot line.***

b. **Single-Family and Multi-Family Dwelling, Attached. Setback distances are: front, 0 feet; side, 0 feet (between each dwelling unit and between the building and property line); and rear, 10 feet. There shall be no primary emergency egress doors or windows placed on the building side walls, unless the subject**

side walls, doors, and windows are setback a minimum of 5 feet from the side lot line.*

***Note: Primary emergency egress doors and windows are those which provide the only required emergency egress pursuant to currently adopted International Fire Codes (with amendments); National Fire Protection Association (NFPA); or specific agencies having jurisdictional requirements. Nothing in this ordinance may replace, amend, or supersede the currently adopted fire codes.**

2. **Other areas zoned CR. Except for parcels described in section (1) above, the required setback distances for multi-family residential buildings containing no commercial use, and single-family attached and detached residential buildings are: front, 20 feet; side, 8 feet (except 0 feet between each attached dwelling unit); and rear, 20 feet. A corner lot abutting two streets shall have a 10 foot side setback for the side abutting the street.**

~~C. **Residential use setbacks.** Residential structures and uses are required to have a front yard setback distance of no less than 20 feet, a side yard distance of no less than 8 feet, and a rear yard distance of no less than 20 feet between the principal building and the property line. The side yard setback distance requirement is 10 feet when abutting a public right-of-way.~~

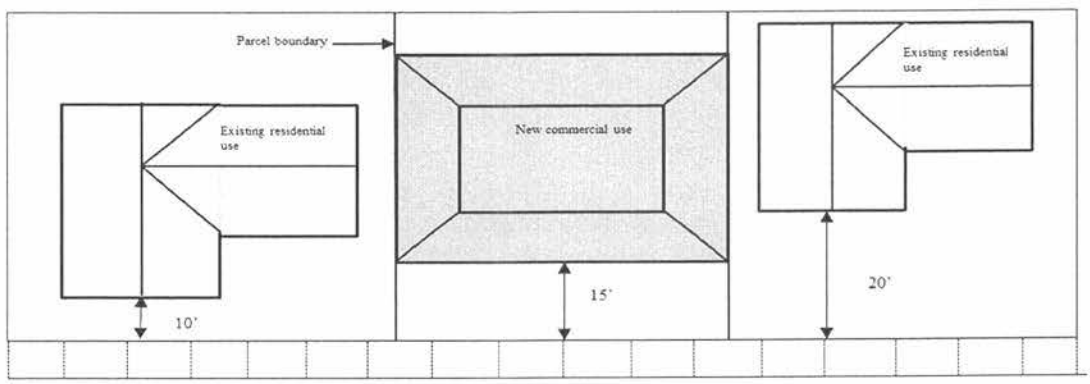


Figure 30.1: The figure shows the front setback distance for the new use abutting existing uses to be the average of the front setback distance of the existing uses.

17.30.060 Use Density and Parcel Width

The density for commercial and residential uses is regulated as follows. **Uses must also comply with setback and minimum parking area requirements in this chapter and chapter 17.12 General provisions.**

A. **Commercial use.** ~~Each lot or parcel to be developed exclusively with a commercial use must be no less than 2,000 square feet in area. The use must also comply with setback and minimum parking area requirements in chapter 17.12 General provisions.~~ **The parcel must be at least 2,000 square feet and at least 25 feet in width (the side facing the street). There shall be at least one parking space provided for each transient commercial lodging unit.**

~~B. Residential use. Each lot or parcel to be developed exclusively with a single-family residential use, except manufactured home parks, must conform to minimum lot area, setback area, and building size requirements in chapter 17.16 R1 Residential uses. Multi-family uses without combined commercial uses must comply with the requirements under chapter 17.20 R2 Multi-family residential uses.~~

~~C. Commercial-residential use. Each lot or parcel to be developed with a combined commercial and residential use single or multi-family must have a minimum area of 2,000 square feet per dwelling unit or suite and the commercial use must encompass at least 1,000 square feet or one-third of the building's gross floor area. The minimum lot or parcel area must be no less than 2,000 square feet for each additional dwelling unit or suite. The maximum number of units allowed on any one lot or parcel is determined by dividing the total lot area by 2,000.~~

~~D. Manufactured home parks must be located on a lot or parcel having a minimum area of 1 acre, and may have a maximum density of 1 space for each 12,000 square feet of lot area.~~

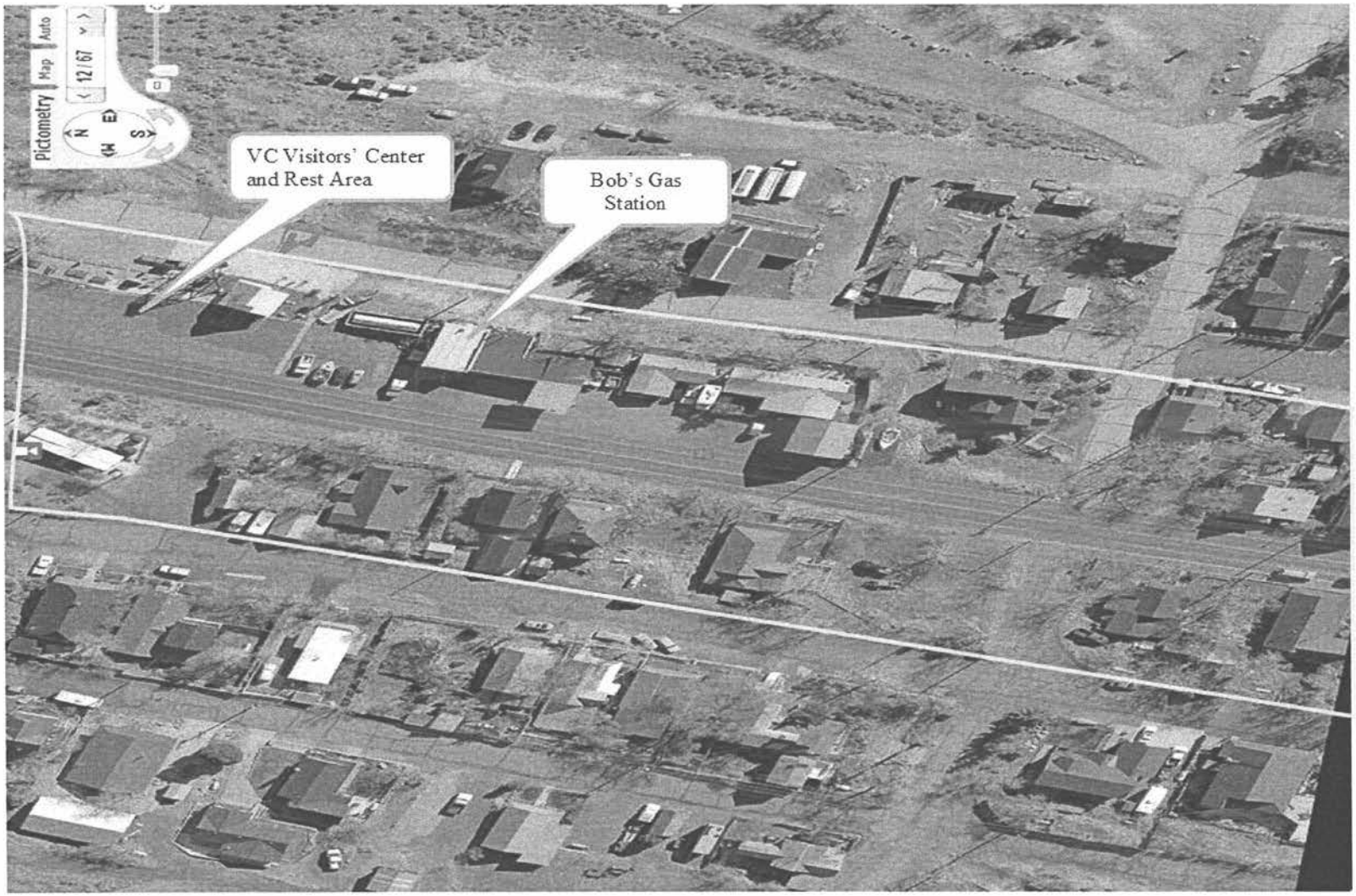
B. Residential use. ~~**Commercial-residential use.**~~

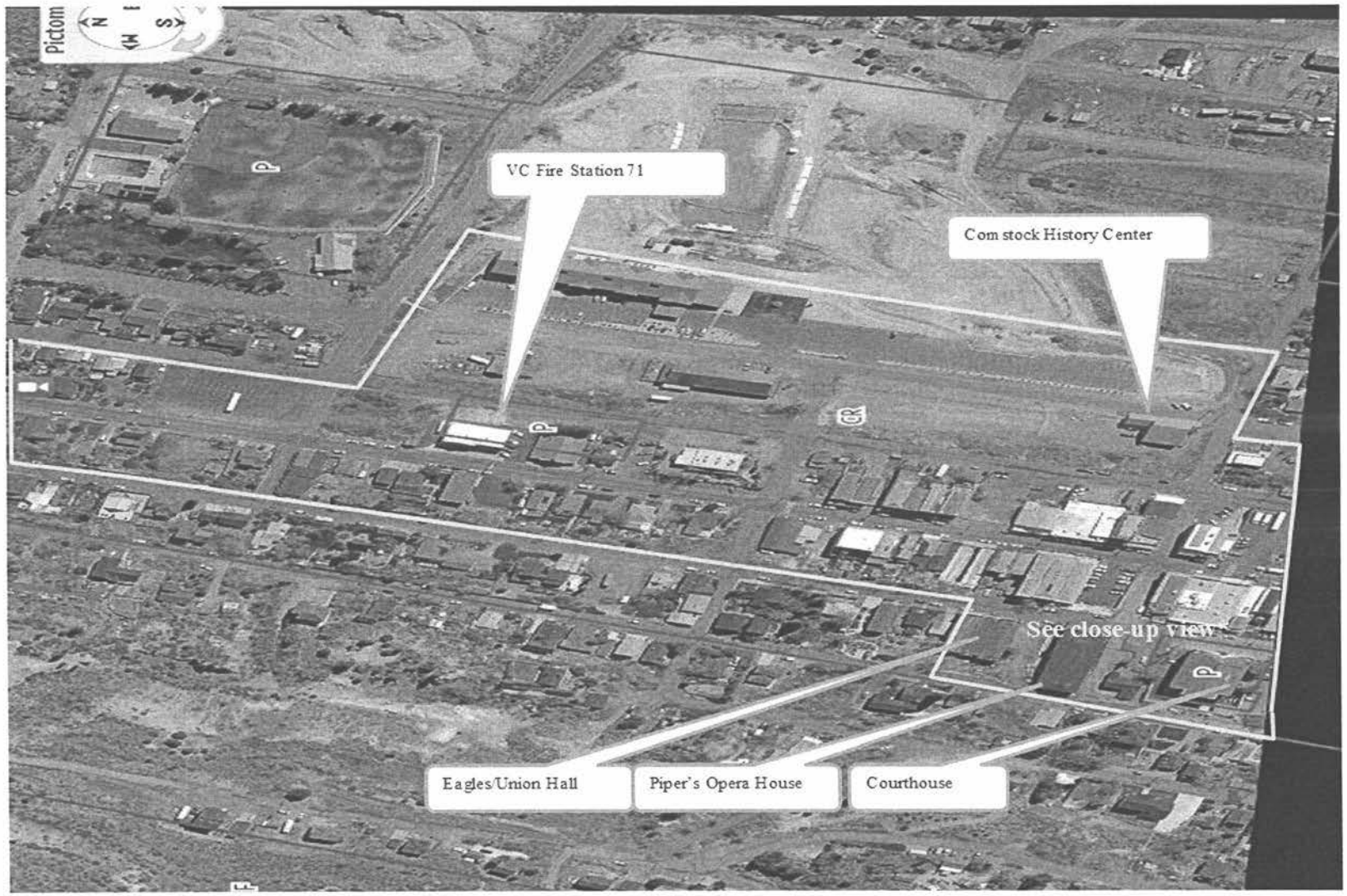
1. Single-family dwelling, detached. **The parcel containing this use must be at least 5,000 square feet.**
2. Single-family dwellings, attached. **There shall be no more than 1 dwelling unit allowed for every 2,000 square feet of gross lot area except as provided in section 4 below.**
3. Multi-family dwellings such as apartment buildings, duplexes, triplexes, and fourplexes. **There shall be no more than 1 dwelling unit allowed for every 2,000 square feet of gross lot area except as provided in section 4 below.** ~~provided that no more than 1 unit is allowed for every 2,000square feet of gross lot area.~~
4. **Except for detached single-family residential uses, a special use permit may be granted for increased dwelling units per square feet of gross lot area when the use is located within the Virginia City Downtown District boundaries (see Appendix A). Findings for approval of the special use permit for increased density shall, at a minimum, cite no significant adverse impacts to area vehicular parking, circulation, and egress, and public health, safety, comfort, convenience, and general welfare.**

Appendix A: Virginia City Downtown District Boundaries

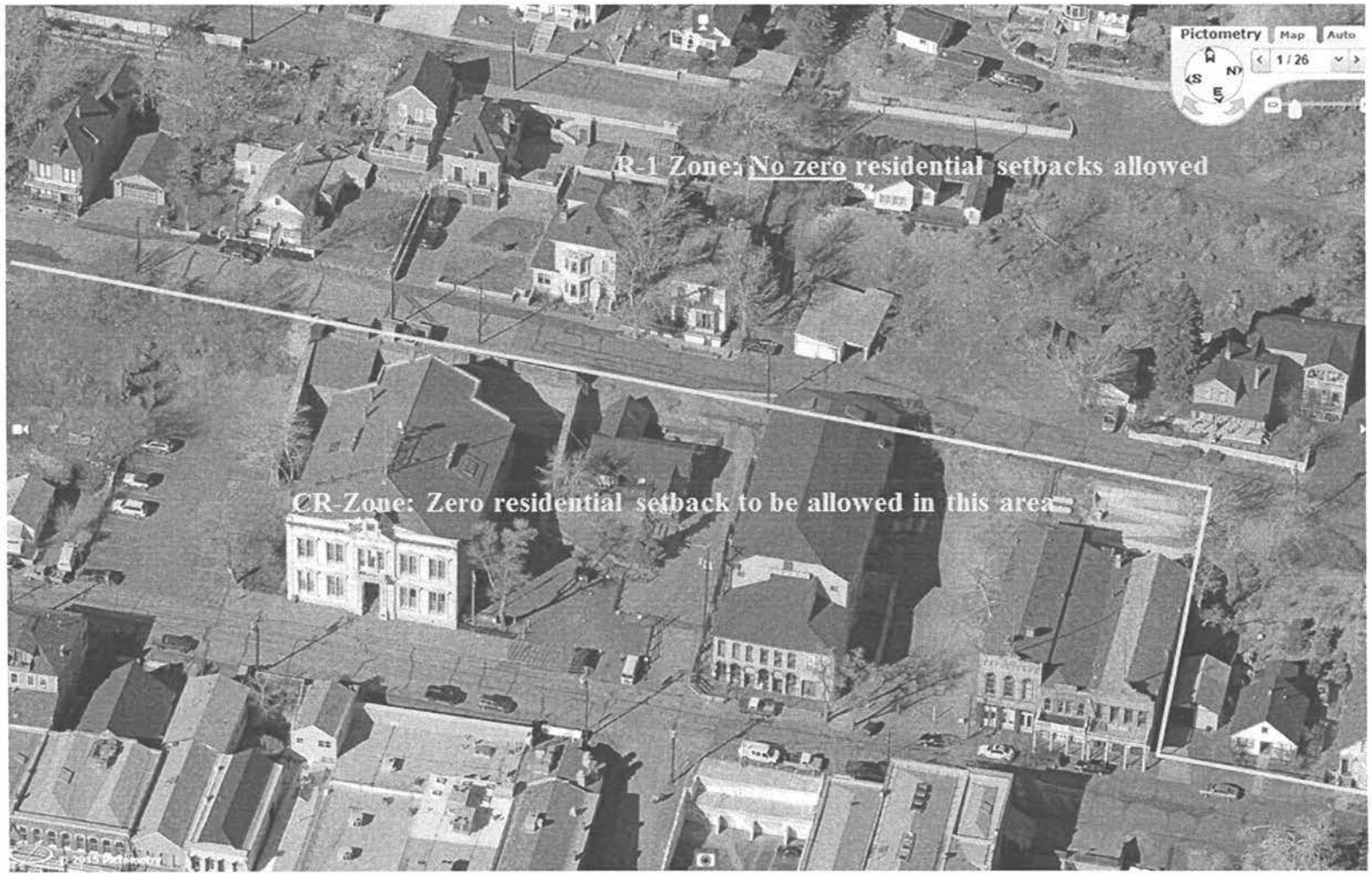
(The "Virginia City Downtown District" (area inside yellow boundary line shown below) includes all parcels shown below, in which a pattern of historic higher-density and mixed-uses are found. The information shown below is approximate and does not represent survey delineation and should not be construed as a replacement of authoritative sources, zone maps, plat maps, deeds, resurveys, etc.)

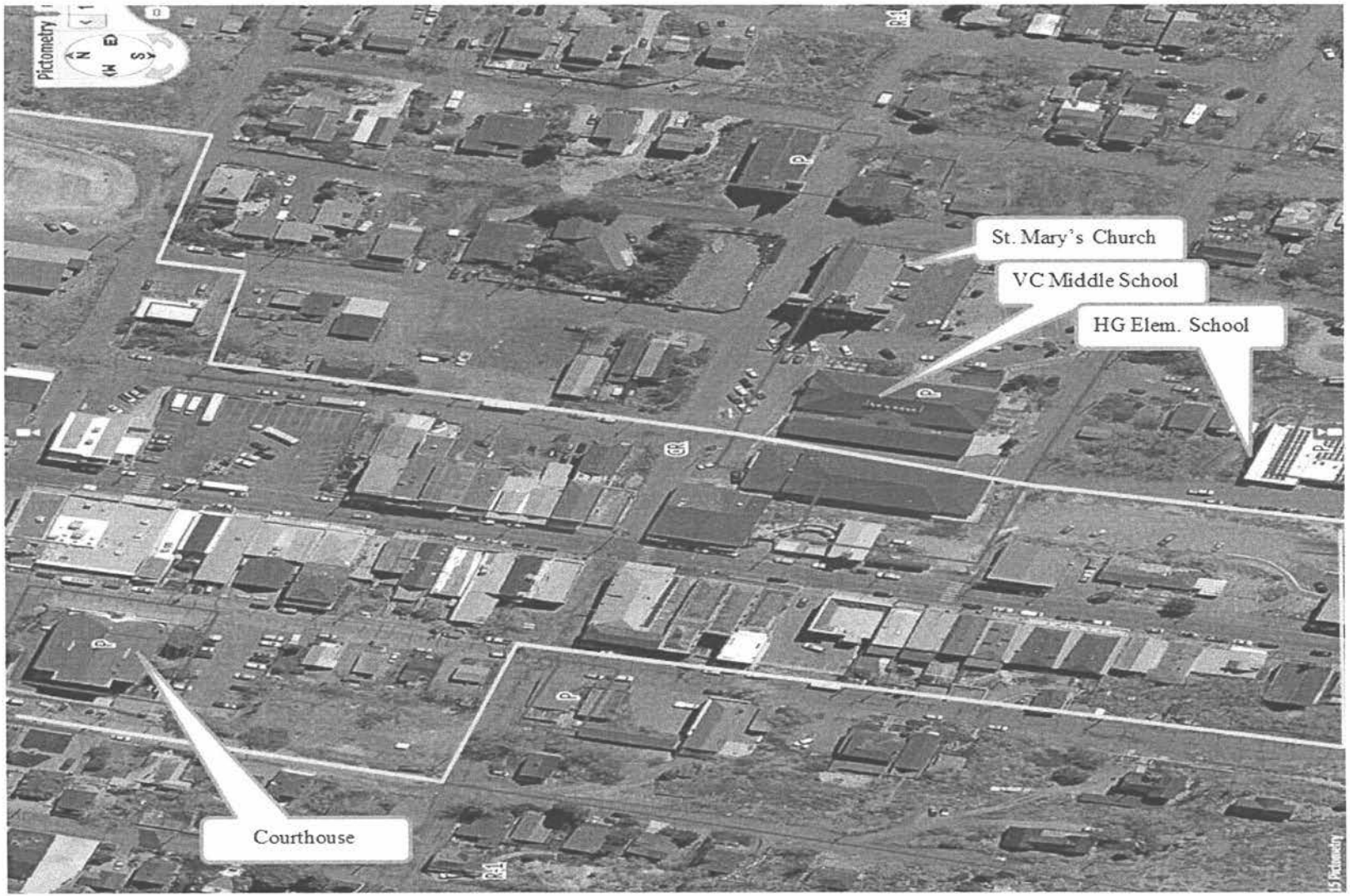


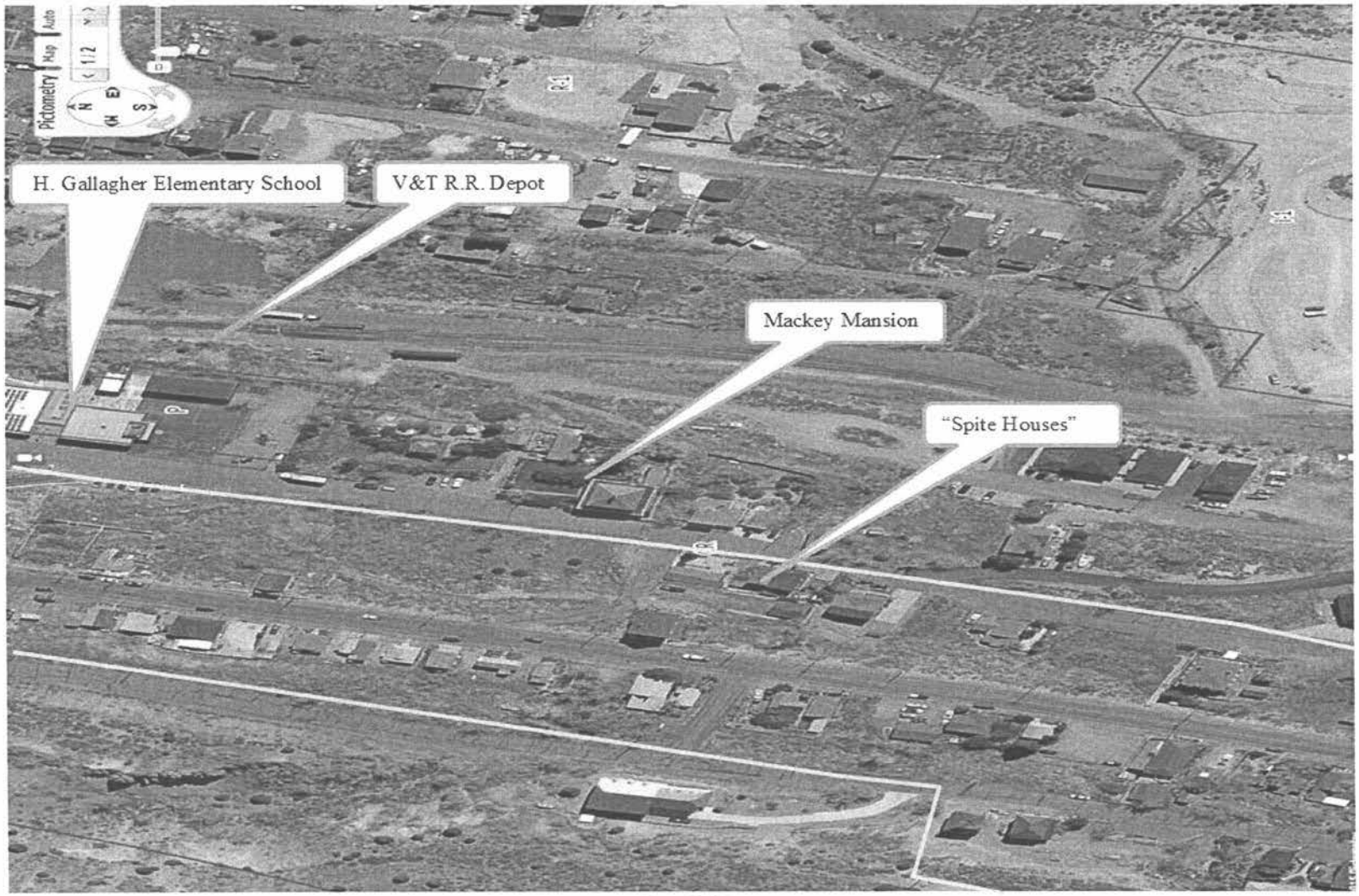

Pictometry
Map
Auto
12/67
N
E
S
W
VC Visitors' Center and Rest Area
Bob's Gas Station

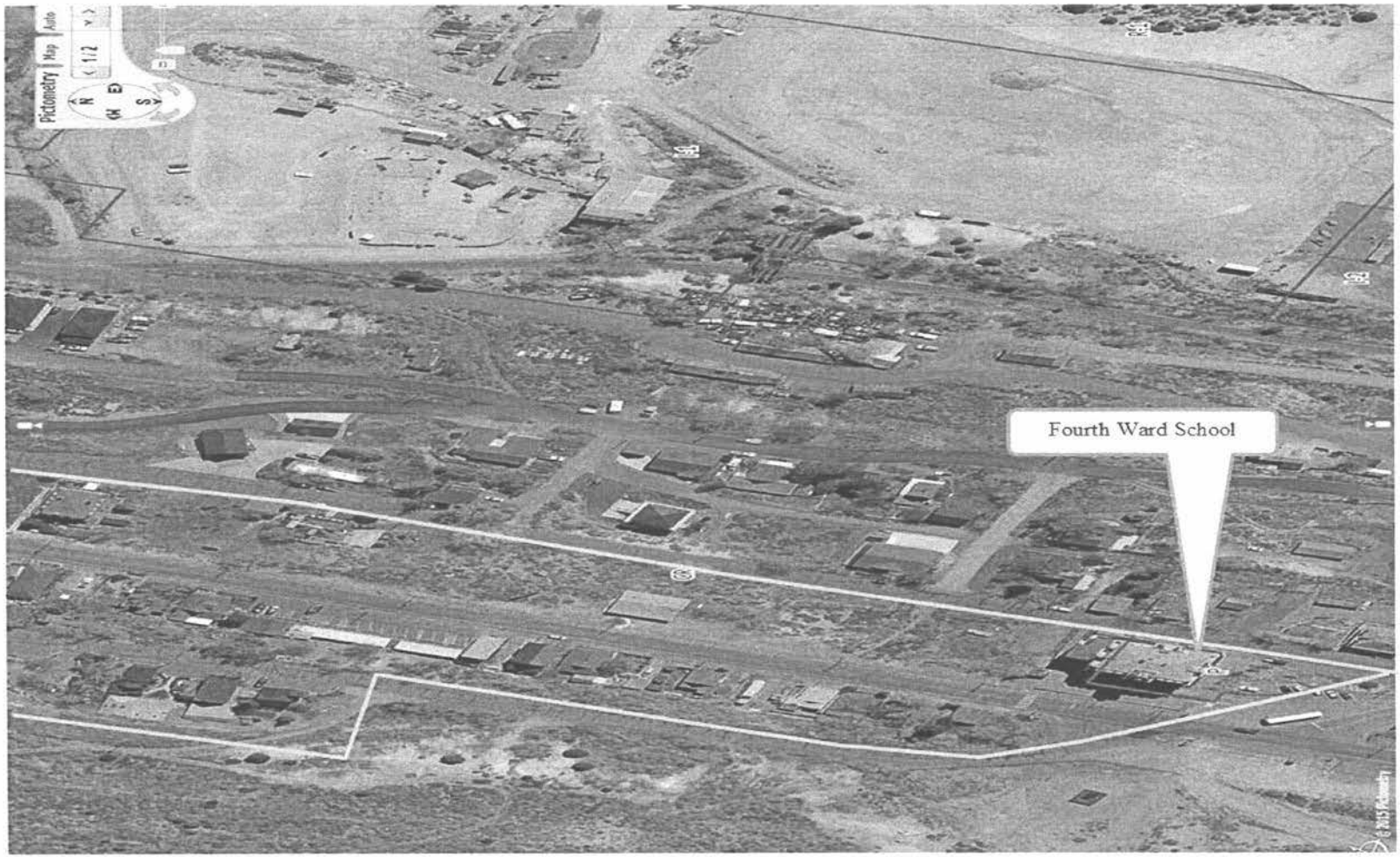

VC Fire Station 71
Com stock History Center
See close-up view
Eagles/Union Hall
Piper's Opera House
Courthouse

*Close-up view around Courthouse, Piper's Opera House, and Eagles/Union Hall.




St. Mary's Church
VC Middle School
HG Elem. School
Courthouse


H. Gallagher Elementary School
V&T R.R. Depot
Mackey Mansion
"Spite Houses"


Pictometry
Map
Auto
Fourth Ward School


CR zone
CR zone
B Street
CR zone
C Street
N

Chapter 17.32

F Forestry Zone

Sections:

17.32.015 Purpose and intent
17.32.020 Uses subject to special use permit
17.22.025 Accessory uses and structures
17.32.030 Minimum parcel area requirements
17.32.040 Off-street parking
17.32.041 Setback requirements
17.32.050 Height of buildings and structures
17.32.060 Generator restrictions

17.32.015 Purpose and Intent

The F forestry zone is established to protect areas having important environmental qualities in the county from unnecessary degradation and to provide areas of very low density residential **and other** uses.

17.32.020 Uses Subject to Special Use Permit

The following uses may be permitted subject to securing a special use permit as provided for in Chapter 17.03 Administrative provisions.

A. One single family detached dwelling of permanent character and location.

B. General agricultural uses, agricultural animal production, agricultural entertainment, accessory structures related to the agricultural use, and custom animal processing.

C. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

D. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

E. Commercial kennel. A minimum of 40 acres is required.

F. Civic uses including:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.

2. Helipads and heliports for use only by medical evacuation transport services. Any other use is prohibited.

3. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. Student residential and boarding accommodations are prohibited.

4. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

G. Buildings for the sale and display of products grown or raised on-site.

H. Recreational uses and buildings, including dude or guest ranches, tennis, golf courses, driving ranges, miniature golf, and country clubs.

I. Cemeteries.

J. Congregational establishments including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

K. Highway and public utility maintenance camps.

L. Home ~~occupations~~ **enterprises** as regulated by chapter 17.12 General provisions.

M. Mining and extraction as regulated by chapter 17.92 Mineral exploration, mining, and extraction, **and aggregate facilities.**

N. Milling and processing related to mining.

O. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems. Commercial energy production from combustion of fossil fuels and other type fuels or other similar power generation systems is prohibited.

P. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

Q. Temporary (less than 1 year) concrete plants and asphalt batch plants when clearly incidental to an on-site construction project.

R. ~~Watershed protection, water storage reservoirs, pipelines, irrigation canals, and ditches.~~ **Natural resources river restoration regulated under section 17.12.100.**

S. Growing and preservation of trees and nursery stock.

T. Hunting, fishing and skiing lodges wildlife refuges, game farms and public campgrounds.

U. The keeping of bees for agricultural purposes when beehives are setback at minimum of 200 feet from CR, E, R, and SPR zones and occupied residential uses within the premises, and 50 feet from any shared access easement or public right-of-way.

17.32.025 Accessory Uses and Structures

Accessory uses, buildings, and structures are considered a permitted use if they are clearly incidental to another permitted use, that being a use which has been approved by a special use permit. The provisions of section ~~17.12.048~~ **17.12.045-046** also apply to accessory structures. **A principal building is not required for an accessory structure**

incidental to the allowed uses on the premises; however, a principal single-family residential dwelling is required for an accessory dwelling to be approved.

17.32.030 Minimum Parcel Area Requirements

A minimum area of 40 acres is required for a parcel of land.

17.32.040 Off-street parking

Off-street parking must be sufficient to handle the automobile and other vehicular parking demands of the use.

17.32.041 Setback Requirements

~~A structure or accessory building may not be located closer than 30 feet to the front property line, 40 feet to the rear property line, or 15 feet to the side property line.~~
Minimum building setbacks in the F zone are: front, 30 feet; rear, 40 feet; and side, 30 feet.

17.32.050 Height of Buildings and Structures

A building, ~~manufactured building,~~ manufactured home, or structure may not exceed a height of three stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. Radio, television, other communication antenna, and wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

7.32.060 Generator Restrictions

Installation of a generator as a power source is not permitted unless the generator is muffled and installed in a sound-insulated building sufficient in design to maintain compliance with noise regulations in chapter 8.04 of the county code. Generators that are used solely for power in emergencies or power outages need not be muffled or in a sound-insulated building.

Chapter 17.34

I1 Light Industrial Zone

Sections:

17.34.015 Purpose and intent
17.34.020 Allowed uses
17.34.030 Uses subject to special use permit
17.34.040 Minimum parcel area
17.34.050 Setback requirements
17.34.060 Loading area
17.34.070 Height of buildings and structures

17.34.015 Purpose and Intent

The I1 light industrial zone is intended to provide areas for the development and operation of industrial uses that do not create or cause fumes, odor, smoke, gas, noise, vibrations, or other impacts which are or may be detrimental to abutting properties and land uses.

17.34.020 Allowed Uses

The following uses are allowed in the I1 light industrial zone:

A. Ten percent of the total area in the light industrial zone as designated in the county master plan may be utilized for commercial use. A site plan must be approved by the ~~community development~~ **building** department. No special use permit is required for commercial uses in the I1 zone, but the provisions under chapter 17.28 apply to commercial uses in an I1 zone.

B. Limited indoor manufacturing and assembly involving the production process that uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts, but not including such operations as paper, sawmills, milling, steel, iron or other metal works, rolling mills, or any manufacturing uses involving primary production of commodities of raw material.

C. Trade and craftsman industries, including furniture and carpentry, manufacturing and refining, upholstery shops, monument works, welding shops, and similar uses.

D. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.

E. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.

F. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. These uses also include community gardens.

G. Civic uses including:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.

2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other ~~use~~ **purpose**.
3. Libraries, governmental offices, post offices, community centers, and courts of law.
4. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for student residential and boarding accommodations.
5. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
6. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.
7. Veterinarian services and animal shelters.

H. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.

I. Storage and distribution of paint~~s~~, shellac, turpentine, varnishes, and ~~other chemicals~~ **similar materials** within a warehouse facility.

J. Storage and distribution of petroleum ~~and liquid petroleum~~ products within a warehouse facility.

K. Outdoor storage or maintenance of building materials (excluding concrete and asphalt), vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when not directly associated with a construction project on the premises.

L. Temporary (less than 1 year) concrete and asphalt batch plants when incidental to an on-site construction project.

M. Laundromats and personal dry-cleaning.

N. Laboratory and testing services. The use of live animals in laboratory, testing, and experimentation is prohibited.

O. Retail sales and shopping centers including:

1. Stores; shopping centers; convenience stores; principal grocery stores; neighborhood stores and shopping centers; regional stores and shopping centers; super regional store and shopping centers; seasonal holiday sales and use; and seasonal farmers markets.

P. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.

Q. Gaming when incidental to a primary use and limited to no more than 15 slot or video machines.

R. Heavy equipment sales and service.

S. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.

T. Accessory use, buildings and structures when incidental to a permitted use,

placed upon the same lot or parcel with a permitted use, and compliant with section ~~17.12.048~~ **17.12.045.**

17.34.030 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions.

A. Casinos and gaming establishments over 5,000 square feet, where more than 15 slots or video machines are located and where other forms of gambling may take place such as poker, craps, blackjack, sports book and other similar activities.

B. Watchman's dwelling, permanent or temporary~~.~~ **as regulated by section 17.12.046.**

C. Buildings and structures constructed for uses listed in sections 17.34.020 and 17.34.030 that will exceed 50 feet in height.

D. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

E. Commercial kennel. A minimum of 10 acres is required.

F. Health care facilities including hospital services, medical services, convalescent services (but not civic convalescent and group care service), continuum of care facilities for seniors, and group care services.

G. Billboards as regulated by chapter 17.84 Signs and billboards.

H. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems. Commercial energy production from combustion of fossil fuels and other type fuels or other similar power generation systems is prohibited.

I. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.

J. Truck stops.

K. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.

L. Solid waste recycling collection center.

M. Solid waste recycling center.

N. Solid waste transfer station.

O. Solid waste collection center.

P. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or located within 2,500 feet of a CR, E, R, or SPR zone. Permanent batch plants are prohibited.

Q. Education facilities which include student residential and boarding accommodations.

R. ~~Natural resources including river and waterway restoration, wetland creation, water restoration and recycling.~~ **Natural resources river restoration regulated under section 17.12.100.**

S. **Open storage.**

T. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

~~S.~~*U* Other uses similar to the above which are determined by the board with action by the planning commission to be consistent with the uses requiring a special

use permit within the zone.

17.34.040 Minimum Parcel Area

The minimum parcel area required in the I1 zone is 1 acre, except for commercial uses in the I1 zone area for which there is a 15,000 square feet area minimum.

17.34.050 Setback Requirements

~~A building or accessory building may not be located closer than 20 feet to any property line.~~ **The required distance between the building and the property line is 20 feet. Setback requirements for accessory structures must comply with section 17.12.045.**

17.34.060 Loading Area

A loading area must have adequate room for vehicular circulation and staging. All truck parking and docking areas must be designed so that right-of-ways and travelled ways are not impacted.

17.34.070 Height of Buildings and Structures

A building, ~~manufactured building,~~ manufactured home, or structure may not exceed a height of three stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. Radio, television, other communication antenna, and wind energy turbine support structures are regulated by chapter 17.12.044, Height of buildings and structures.

Chapter 17.35

I2 Heavy Industrial Zone

Sections:

17.35.010 Purpose and intent
17.35.020 Allowed uses
17.35.030 Uses subject to special use permit
17.35.040 Minimum parcel area
17.35.050 Setback requirements
17.35.060 Loading area
17.35.070 Height of buildings and structures

17.35.010 Purpose and Intent

The I2 heavy industrial zone is intended to provide areas for the development and operation of industrial, distribution, and manufacturing uses that, by nature of their intensity, may be incompatible with other types of land use activities.

17.35.020 Allowed Uses

The uses listed in this section are allowed in the I2 heavy industrial zone. They include all uses allowed in the I1 light industrial zone if they are compatible with the surrounding heavy industrial uses. I1 light industrial uses in the I2 zone are governed by the provisions of chapter 17.34 Light industrial zone, except that a special use permit pursuant to section 17.34.030 is not required unless the use is expressly listed in section 17.35.~~040~~**030** as requiring a special use permit. The following heavy industrial uses are allowed:

A. Ten percent of the total area in the heavy industrial zone as designated in the county master plan may be utilized for commercial use. A site plan must be approved by the ~~community development department~~ **building department**. No special use permit is required for commercial uses, but the provisions under chapter 17.28 apply to commercial uses in an I2 zone.

B. Manufacturing and assembly involving the production process which uses already manufactured components to assemble, print, or package a product such as cloth, paper, plastic, leather, wood, glass, stones, or computer and electronic parts and manufacturing operations involving primary production of commodity of raw materials, except those **uses** listed in section 17.35.040 as requiring a special use permit.

C. Trade and craftsman industries, including furniture and carpentry manufacturing and refining, upholstery shops, blacksmithing, monument works, ornamental ironworks, and similar uses.

D. Contractor services, including general contractor offices, contractor service shops, carpet cleaning, pest control, printing and publishing, and similar uses.

E. Civic uses including:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other ~~use~~ **purpose**.
3. Libraries, governmental offices, post offices, community centers, and courts of law.
4. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required for student residential and boarding accommodations.
5. Highway rest areas, picnicking areas, parks and playgrounds, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.
6. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.

F. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.

G. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses also include community gardens.

H. Laboratories and testing services. The use of live animals in laboratory~~,~~ testing~~,~~ and experimentation is prohibited.

I. Bottling **and canning** plants.

J. Building material manufacturing.

K. Breweries, distilleries, wineries.

L. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.

M. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.

N. Storage and distribution of paints, shellac, turpentine, varnishes, and ~~other chemicals~~ **similar materials** within a warehouse facility.

O. Storage and distribution of ~~petroleum and~~ liquid petroleum products within a warehouse facility.

P. Laundromats and personal dry cleaning.

Q. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.

R. Truck stops.

S. Indoor and outdoor archery uses.

T. Uses involving the indoor discharge of firearms.

U. Recovery of methane and other combustible gasses emitted from a permitted solid waste landfill and used for the generation of energy.

V. Temporary (less than one year) concrete and asphalt batch plants when incidental to an on-site construction project.

W. Solid waste recycling collection center.

X. Solid waste recycling center.

Y. Healthcare facilities including hospital services, medical services, convalescent services (but not civic convalescent and group care service), continuum of care facilities for seniors, and group care services.

Z. Crisis care uses and facilities, permanent.

AA. Seasonal farmers markets.

BB. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

CC. Veterinary services for small and large animals.

DD. Accessory use, buildings and structures when incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and compliant with the regulations of section ~~17.12.048~~ **17.12.045-046.**

EE. Other uses similar to the above which are determined by the board with action by the planning commission to be consistent and compatible with the other uses permitted within the zone.

17.35.~~040~~030 Uses Subject to Special Use Permit

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions:

A. Industrial agricultural uses including intensive agricultural uses, slaughter houses, agricultural packing and processing, stockyards and auction facilities. Industrial agricultural uses must be located no closer than 500 feet to any CR, E, or R zone and 50 feet from a parcel or lot boundary.

B. Manufacturing of paint~~s~~, shellac, turpentine, varnishes, and ~~other chemicals.~~ **similar materials.**

C. Manufacturing, reclaiming, and refining of ~~petroleum and~~ liquid petroleum products.

D. Storage and distribution of ~~petroleum and~~ liquid petroleum products, except from within a warehouse facility.

~~E. Petroleum and liquid petroleum products manufacturing, reclaiming, and refining.~~

F. Manufacturing, reclaiming, refining, storage, distribution, and use of ~~cyanide~~ **hazardous material.** ~~and other hazardous chemicals and materials~~

G. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet from a CR, E, R, or SPR zone, **and 1,000 feet of an IC zone.**

H. Permanent (1 year or more) concrete and asphalt batch plants.

I. Junk, salvage, reclamation, or auto wrecking **and dismantling** yards.

J. Brick, tile or terra cotta products manufacturing.

K. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.

L. Congregational establishments, including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other private clubs.

M. Uses involving the outdoor discharge of firearms.

N. Race tracks and arenas involving the use of automobiles, trucks, motorcycles (e.g., motocross), tractors, and other motorized vehicles.

O. Radio-controlled (RC) cars, vehicles, watercraft, and aircraft facilities and uses.

P. Facilities and uses that include outdoor sets and props for the development and production of movies, film, television, and similar visual media.

Q. Mining and extraction as regulated by chapter 17.92 Exploration, mining, and extraction, **and aggregate facilities.**

R. Milling and processing related to mining and extraction.

S. Dry cleaning plants and laundry services.

T. ~~Natural resources including river and waterway restoration, wetland creation, water restoration and recycling.~~ **Natural resources river restoration regulated under section 17.12.100.**

U. Paper manufacturing.

V. Hunting, fishing, and skiing facilities and lodges, wildlife refuges, and game farms.

W. Saw mills.

X. Temporary real-estate tract offices not located within a permanent structure

Y. ~~Ammunition or explosive manufacturing and storage.~~ **Manufacturing, reclaiming, refining, storage, distribution, and use of explosives or propellants.**

Z. Waste to energy type production and generation facilities involving use, recovery or residue of petroleum and petroleum related wastes, biomass wastes, bio-hazardous wastes, solid wastes, and other non-hazardous wastes and waste products.

AA. Facilities and recycling facilities involving use, recovery, or residue of hazardous materials and/or wastes.

BB. The keeping of ~~7~~ **5** or more dogs or **3 or more** potbelly pigs more than 12 weeks of age. A minimum of 10 acres is required.

CC. Commercial kennel. A minimum of 10 acres is required.

DD. Recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes.

EE. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.

FF. Blast furnaces and incinerators, of any type and used for any purpose.

GG. Crisis care facility, permanent.

HH. Watchman's dwelling, ~~whether~~ permanent or temporary~~.~~ **as regulated by section 17.12.046.**

II. Commercial energy production from coal, petroleum, natural gas, propane, other fossil fuels, and other non-renewable energy generation.

JJ. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems.

KK. Education facilities which include student residential and boarding accommodations.

LL. ~~Outdoor~~ **Open** storage ~~or maintenance of building materials, vehicles, trailers, and heavy equipment associated with a commercial building contractor or business when~~ not directly associated with a construction project on the premises.

~~MM. Other uses similar to the above that are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.~~

~~NN.~~**MM.** Tattoo, permanent cosmetics, and invasive body piercing facilities. These uses are only allowable within the boundaries of the Tahoe-Reno Industrial Center which is zoned I2 Heavy Industrial. They are prohibited within 1,500 feet of a public or private school or religious institution, and another permitted tattoo, permanent cosmetics, ~~or~~ **and** invasive piercing facility.

~~OO.~~**NN.** Billboards as regulated by chapter 17.68 Signs and billboards.

~~PP~~**OO.** Other uses similar to the above which are determined by the board with action by the planning commission to be consistent with the uses requiring a special use permit within the zone.

17.35.~~050~~040 Minimum Parcel Area

The minimum parcel areas required in the I2 zone is 3 acres, except for commercial uses in a heavy industrial zone area for which there is a 15,000 square foot minimum. For I1 light industrial uses in a heavy industrial zone area, there is a 1 acre minimum.

17.35.~~060~~050 Setback Requirements

~~Buildings may not be located closer than 50 feet to any property line.~~ **The required distance between the building and the property line is 50 feet. Setback requirements for accessory structures must comply with section 17.12.045.**

17.35.~~070~~060 Loading Area

Loading area must have adequate room for vehicular circulation and staging. All truck parking and docking areas must be designed so that right-of-ways and travelled ways are not **adversely** impacted.

17.35.~~080~~070 Height of Buildings and Structures

A building~~, manufactured building,~~ or structure may not exceed 6 stories or 75 feet, whichever is higher, except as may be allowed by a variance. These requirements do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. The height of support structures (towers) for radio, television, other communication antennas, and wind energy turbines is regulated under chapter 17.12 General provisions.

Chapter 17.36

I3 HEAVY INDUSTRIAL ZONE

Sections:

17.36.010 Purpose and intent.
17.36.020 Permitted uses.
17.36.030 Minimum parcel area.
17.36.040 Required criteria for permitted uses.
17.36.050 Special zoning limitations to assure separation of incompatible uses.
17.36.060 Height of buildings and structures.

17.36.010 Purpose and Intent.

The I3 heavy industrial zone is intended to provide areas for the development and operation of industrial, distribution, and manufacturing uses which, by nature of their intensity, may be incompatible with other types of land uses. Permitted uses in the I3 zone may be more intensive than those allowable in the I1 and I2 zone. The remote location of the I3 zone is suitable for the allowable uses under this chapter.

17.36.020 Permitted Uses.

The following uses are permitted in the I3 zone and include all uses allowed in the I1 light industrial zone if they are compatible with the surrounding heavy industrial uses. I1 light industrial uses in the I3 zone are governed by the provisions in17.34, except that a special use permit pursuant to section 17.34.030 is not required. The following uses are permitted in the I3 zone:

A. Manufacturing and assembly operations which create a finished or partially assembled product for sale or distribution.
B. Commercial uses listed as permitted under chapter 17.28 Commercial zone. Uses listed as requiring a special use permit under section 17.28.040 are permitted in the I3 zone without a special use permit. The provisions under 17.28 otherwise apply to the regulation of commercial uses in the I3 zone.
C. Agricultural use types including general agricultural uses, agricultural animal production, custom animal processing, agricultural research, agricultural supplies sales, and agricultural entertainment and commercial uses.
D. Industrial agricultural uses including intensive agricultural uses, slaughter houses, agricultural packing and processing, stockyards and auction facilities.
E. Waste to energy type production and generation facilities involving use, recovery or residue of petroleum and petroleum related wastes, biomass wastes, bio-hazardous wastes, solid wastes, and other non-hazardous wastes and waste products.
F. Ammunition and explosives manufacturing, reclaiming, refining, storage, distribution, and use.
G. Paints, shellac, turpentine, varnishes, and other chemical manufacturing.
H. Storage and distribution of paints, shellac, turpentine, varnishes, and other chemicals within a warehouse facility.

I. Petroleum and liquid petroleum products manufacturing, reclaiming, and refining.
J. Storage and distribution of petroleum and liquid petroleum products.
K. Fertilizer products storage, distribution, manufacturing, reclaiming, and refining.
L. Air bag and other supplementary restraint system manufacturing, testing, storage, and use.
M. Explosive, propellant, and pyrotechnic manufacturing, testing, storage, and use.
N. Lithium and other volatile or unstable fuels and materials manufacturing, testing, storage, and use.
O. Hazardous waste management facilities involving the use, recovery, recycling, storage, treatment, and management of hazardous materials for hazardous materials produced or use on the site.
P. Rocket fuel manufacturing, testing, and storage.
Q. Blast furnaces and incinerators of any type and for any purpose.
R. Rock and gravel excavating, crushing, processing, and distribution.
S. Mineral exploration, mining, and extraction. A special use permit for large operations is required pursuant to chapter 17.92 Exploration and mining.
T. Environmental testing facilities such as simulation of temperature, vibration, fire, explosion, or high-altitude conditions.
U. Open air testing of materials developed for any of the uses described in this section, including testing to obtain design criteria for building construction, personnel safety, shipping requirements, and anything useful for those purposes.
V. Igniter and ignition systems manufacturing, testing and storage and use.
W. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.
X. Recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes.
Y. Cyanide and other hazardous chemicals and materials manufacturing, reclaiming, refining, storage, distribution, and use.
Z. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems.
AA. Commercial energy production from coal, petroleum, natural gas, propane, other fossil fuels, and other non-renewable energy generation.
BB. Uses that include the testing, manufacturing, research, development, and storage of lasers, pharmaceuticals, drones, military and civilian devices, chemicals, and products that require special treatment, buffering, and high levels of security.
CC. Milling and processing related to mining and extraction.
DD. Civic uses including:
    1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
    2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other ~~use~~ **purpose.**
    3. Governmental offices and courts of law.

4. Parking lots and structures, park-and-rides and carpool transfer centers, multi-modal transit hubs, parking garages and storage, railroad and light rail infrastructures, train tunnels, and railroad switchyards and turntables.

EE. Laboratories and testing services. The use of live animals in laboratory, testing, and experimentation is prohibited.

FF. Bottling plants.

GG. Building material manufacturing.

HH. Breweries, distilleries, wineries.

II. Warehouses, warehouse complexes, distribution operations, and wholesale distribution.

JJ. Mini-warehouses and storage facilities for rent including recreational vehicle, boat, utility trailer, horse trailer, and similar equipment storage.

KK. Laundromats and personal dry cleaning.

LL. Automotive, truck, and heavy equipment services including washing and detailing (manual hand-washing, coin-operated, and production line methods), service and fueling stations, repair (including painting and body repair), sales, and rental.

MM. Manufacturing of signs and billboards.

NN. Dumps and refuse disposal areas. (These uses are subject to existing franchise agreement(s) in Storey County).

OO. Truck stops.

PP. Truck terminals.

QQ. Uses involving the indoor discharge of firearms.

RR. Public utility service yards, buildings, electric substations, gas transmission substations, and ancillary uses.

SS. Veterinary services for small and large animals.

TT. Accessory use, buildings and structures when incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and compliant with the regulations of section ~~17.12.048~~ **17.12.045.**

UU. Temporary (less than 1 year) and permanent (1 year or more) concrete and asphalt batch plants.

VV. Cement and lime manufacturing.

WW. Building materials sales and storage yards.

XX. Junk, salvage, reclamation, or auto wrecking **and dismantling** yards.

YY. Brick, tile or terra cotta products manufacturing.

ZZ. Cemeteries, columbariums, crematories, mausoleums, mortuaries, and funeral parlors.

AAA. Uses involving the outdoor discharge of firearms.

BBB. Mining, extraction, and mineral exploration as regulated by chapter 17.92 Exploration, mining, and extraction. A special use permit is required for large operations as defined under chapter 17.92.

CCC. Dry cleaning plants and laundry services.

DDD. ~~Natural resources including river and waterway restoration, wetland creation, water restoration and recycling.~~ **Natural resources restoration regulated under section 17.12.100.**

EEE. Paper manufacturing.

FFF. Saw mills.

GGG. Temporary real-estate tract offices not located within a permanent structure.

HHH. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age.

III. Commercial kennel.

JJJ. Sewage treatment plants and facilities and other sewage or sludge processing, treatment, or storage.

KKK. Watchman's dwelling, ~~whether~~ permanent or temporary~~.~~ **as regulated by section 17.12.046.**

LLL. Research and development activities related to any of the uses described in this section.

MMM. Other commercial and industrial uses that are not specifically listed but are similar to the existing permitted uses when they are found by the board of commissioners with action by the planning commission to be compatible with abutting land uses and other uses in the zone and consistent with the county master plan.

17.36.030 Minimum Parcel Area.

The minimum parcel areas required in the I3 zone is 3 acres, except for commercial uses in the I3 zone area for which there is a 15,000 square foot minimum. For I1 light industrial uses in the I3 zone area, there is a 1 acre minimum.

17.36.040 Required Criteria for Permitted Uses.

Any use listed in section 17.38.~~030~~**020** which can be demonstrated by the applicant to meet the following criteria is a permitted use in the I3 zone. Any use listed in section 17.36.020 which does not meet all of the following criteria may be permitted by special use permit pursuant to chapter 17.03 Administrative provisions.

A. No use or building except structures used for office or employee service facilities may be located closer than 500 feet from the boundary of the site unless the applicant can demonstrate that the distance from the boundary of the site is adequate to protect surrounding uses.

B. In lieu of subsection A, the boundaries of the site may be surrounded by a buffer area of the same distance. The buffer area may not contain any uses or buildings except that a use or building permitted in the I3 zone may be allowed provided such use or building is not less than 500 feet from the boundaries of the property making the application unless the applicant can demonstrate that the distance from the boundary of the site is adequate to protect surrounding uses. The buffer area may consist of property restricted by fee ownership, lease, easement, license or other manner which the applicant demonstrates will assure the existence of the buffer area for as long as the permitted use remains. The buffer area may be provided by open space areas, wilderness land or land restricted in use by a governmental agency or private entity, if the applicant demonstrates that the buffer area requirements will be met and retained for the life of the permitted use.

C. The boundaries of the property may not be located closer than 1 mile to property which permits a residential use, except for those boundaries permitting a residential use at the time of the passage of this title.
D. The boundaries of the property may not be closer than 2 miles from a permitted city or town.
E. Posting, marking and fencing of the property must comply with the requirements of agencies having regulatory jurisdiction of the activity.
F. Weaponry, ammunition or explosives testing may not include the intentional flight of any missile, aircraft or projectile outside of the area zoned I3 heavy industrial or I-S special industrial owned or leased by the applicant.

17.36.050 Special Zoning Limitations to Assure Separation of Incompatible Uses.

The purpose of these special limitations is to prohibit the encroachment of incompatible uses into areas adjacent to lands zoned for I3 heavy industrial use. Such limitations are intended to preserve the continued usability of those areas zoned I3 for permitted uses and to protect other uses from the impacts and hazards which could result if such uses were established near areas zoned I3.

All properties zoned within 1 mile of any area zoned I3 must be zoned and maintained in one or more of the following zones: F, forestry; I3 heavy industrial; I-4 heavy industrial; or IS special industrial.

In addition, no high explosives structures may be constructed on the property within one 1,320 feet of the boundary of the I3 zone, except for portions abutting an IS special industrial zone owned or leased by the applicant.

17.36.060 Height of Buildings and Structures.

No building~~, manufactured building,~~ or structure may exceed 6 stories or 75 feet, whichever is higher, except as may be allowed by a variance. These requirements do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. The height of support structures (towers) for radio, television, other communication antennas, and wind energy turbines is regulated under chapter 17.12 General provisions.

Chapter 17.38

IS Special Industrial Zone

Sections:

17.38.010 Purpose and intent
17.38.030 Allowed uses
17.38.040 Required criteria for allowed uses and special use permits
17.38.050 Special zoning limitations to assure separation of incompatible uses
17.38.060 Building requirements
17.38.070 Parcel size and width requirements

17.38.010 Purpose and Intent

The IS special industrial zone is intended to provide areas for special industrial and manufacturing uses characterized by activities that require distance separation from other less intensive uses. These uses are necessary and appropriate for the planned development of the county and must be protected from encroachment through proper land use controls and buffering. The provisions of the IS special industrial zone are designed to allow safe operation of uses within the zone while providing protection from encroachment on other uses that may be impacted by special industrial and manufacturing activities.

17.38.030 Allowed Uses

The following uses are allowed in the IS special industrial zoned provided that there is full compliance with this chapter.

A. Ammunition and artillery manufacturing, testing, storage, and use.
B. Chemical manufacturing, testing, storage, and use.
C. Air bag and other supplementary restraint system manufacturing, testing, storage, and use.
D. Explosive, propellant, and pyrotechnic manufacturing, testing, storage and use.
E. Igniter and ignition systems manufacturing, testing, storage, and use.
F. Lithium and other volatile or unstable fuels and materials manufacturing, testing, storage, and use.
G. Hazardous materials, treatment, storage, disposal, and use, including refuse disposal sites for hazardous materials produced or used on the site in connection with the uses permitted by this section.
H. Waste to energy type production and generation facilities involving use, recovery or residue of petroleum and petroleum related wastes, biomass wastes, bio-hazardous wastes, solid wastes, and other non-hazardous wastes and waste products.
I. Commercial energy production from coal, petroleum, natural gas, propane, other fossil fuels, and other non-renewable energy generation.
J. Commercial energy production use types such as geothermal, hydrological, solar, wind, and other similar low-impact renewable energy generation systems.
K. Temporary (less than 1 year) and permanent (1 year or longer) concrete and asphalt batch plants.

L. Hazardous waste management facilities involving use, recovery, recycling, storage, treatment, and management of hazardous materials for hazardous materials produced or used on the site.

M. Environmental testing facilities such as simulation of temperature, vibration, fire, explosion, high altitude, etc.

N. Employee service facilities, operated in connection with, and on the same property as, a use permitted by this section. These facilities must be for the exclusive use of the property owner's invitees and invitees' employees and must not be open to the public.

O. Training and educational facilities that use explosives, ammunition, lasers, light, sound, radio waves, and other weapons systems and non-weapons systems applications for military and private entities.

P. Blast furnaces and incinerators of any type and for any purpose.

Q. Office, security and related functions operated in connection with, and on the same property as, any of the uses permitted by this section.

R. Watchman's dwelling, temporary or permanent, as regulated by section 17.12.046 (use requires a special use permit).

~~R.~~**S** Radio, television, and other commercial and non-commercial communication antenna support structures of any height.

~~S.~~**T** Open air testing of materials developed for any of the uses described in this section, including testing to obtain design criteria for building construction, personnel safety, shipping requirements and anything useful for those purposes.

~~T.~~**U** Research and development activities related to any of the uses described in this section.

~~U.~~V Other uses which are consistent with or related to the uses described in this section.

17.38.040 Required Criteria for Allowed Uses and Special Use Permits

Any use listed in section 17.38.030 that is demonstrated by the applicant to the satisfaction of the director to meet the following criteria is an allowed use in the IS special industrial zone. Any use listed in section 17.38.030 that does not meet all of the following criteria may be permitted by special use permit pursuant to chapter 17.03 Administrative provisions. Notwithstanding the provisions of this chapter, a special use permit is required for laboratory, testing, and experimentation involving the use of live animals.

A. No use or building except structures used for office or employee service facilities may be located closer than 500 feet from the boundary of the site unless the applicant demonstrates to the satisfaction of the community development director that the distance from the boundary of the site is adequate to protect surrounding uses.

B. In lieu of subsection A, the boundaries of the site may be surrounded by a buffer area of the 500 feet. The buffer area must not contain any uses or buildings, except that a use or building permitted in the IS special industrial zone may be allowed provided that the use or building is not less than 500 feet from the boundaries of the property making the application, unless the applicant demonstrates to the satisfaction of the director that the distance from the boundary of the site is adequate to protect surrounding uses. The buffer area

may consist of property restricted by fee ownership, lease, easement, license, or other manner that the applicant demonstrates will assure the existence of the buffer area for as long as the permitted use remains on the property. The buffer area may be provided by open space areas, wilderness land, or land restricted in use by a governmental agency or private entity, if the applicant demonstrates that the buffer area requirements will be met and retained for the life of the permitted use.

C. The boundaries of the property zoned IS may be located no closer than 1 mile to any property in which a residential use is an allowed use, except for those boundaries allowing a residential use at the time of the passage of this chapter.
D. The boundaries of the property zoned IS may not be closer than 2 miles from an incorporated or unincorporated city or town.
E. Posting, marking and fencing of the property must comply with the requirements of agencies having regulatory jurisdiction of the activity.
F. Weaponry, ammunition or explosives testing may not include the intentional flight of any missile, aircraft, or projectile outside of the area zoned IS special industrial.

17.38.050 Special Zoning Limitations to Assure Separation of Incompatible Uses

The purpose of these special limitations is to prohibit the encroachment of incompatible uses into areas adjacent to lands zoned for IS special industrial use. These limitations are intended to preserve the continued usability of those areas zoned IS special industrial for the allowed uses and to protect other uses from the impacts and hazards which may result if the uses were established near areas zoned IS special industrial zone.

All properties zoned within 1 mile of any area zoned IS special industrial must be zoned and maintained in one or more of the following zoning classifications: F forestry; IS special industrial; I2 heavy industrial; or I3 heavy industrial. Additionally, no high explosive structures may be constructed on the property within 1,320 feet of the boundary of the IS special industrial zoned property.

17.38.060 Building Requirements

Building sites and construction must conform with applicable federal, state and county health, fire and safety codes applicable to the allowed or permitted use.

17.38.070 Parcel Size and Width Requirements

Each property must meet the required criteria of section 17.38.040. The minimum width of any property is 5,280 feet.

Chapter 17.40

E Estate Zone

Sections:

17.40.010 Purpose and intent
17.40.020 Allowed uses
17.40.025 Uses subject to special use permit
17.40.030 Minimum lot size
17.40.040 Lot dimensions
17.40.045 Height of buildings and structures
17.40.050 Setback requirements
17.40.060 Home ~~occupation~~ **enterprises**
17.40.070 Generator restrictions
17.40.080 Easements and rights-of-way
17.40.090 Effect of covenants, conditions, and restrictions

17.40.010 Purpose and Intent.

The E estates zone is established for areas particularly suited for low density residential use, to further enhance the quality of life for residents, to prohibit the development of uses which are incompatible and detrimental to a rural residential environment, and to allow for the keeping of a limited number of large domestic animals for non-commercial purposes.

17.40.020 Allowed Uses.

The following uses are allowed in the E estates zone:

A. ~~1~~ **One** single-family detached dwelling of permanent character in a permanent location.~~-~~The minimum floor area requirement for residences is 800 square feet for a one bedroom structure, 1,000 square feet for a two bedroom structure, and 1,200 square feet for a three bedroom structure.

B. Accessory uses customarily incidental to a permitted use, located on the same lot or parcel with a permitted use, and in compliance with the provisions under section 17.12.048.

C. Storage parking for recreational vehicles, boats, utility trailers, horse trailers and similar equipment owned by the occupant of the permitted principal use, provided that such items are stored entirely within the private property.

D. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Use also includes community gardens.

E. ~~Child care~~ **Childcare** where 4 or less children are cared for.

F. The keeping of large domestic animals such as sheep, bovine, swine, llamas, horses, goats, and other similar domestic farm animals under the ownership of the resident occupant of the lot, provided that any combination of such animals on any one lot does not exceed the following:

See section 17.40.030 for minimum lot size requirements.	
E-1	~~No more than~~ 4 **or less** large domestic animals
E-2.5	~~No more than~~ 4 **or less** large domestic animals
E-5~~.0~~	~~No more than~~ 6 **or less** large domestic animals
E-10	~~No more than~~ 8 **or less** large domestic animals
E-40	~~No more than~~ 16 **or less** large domestic animals
E-1-VCH	~~No more than~~ 4 **or less** large domestic animals
E-10-HR	~~No more than~~ 8 **or less** large domestic animals
E-40-VR	~~No more than~~ 16 **or less** large domestic animals

1. A special use permit is required to exceed the above maximums for large domestic animals.
2. Sanitary conditions must be maintained at all times in order to prevent a nuisance or health hazard from occurring.
3. There must be a minimum of 400 square feet per penned land area per large domestic animal, which must be on less than 10 percent slope grade.

17.40.025 Uses Subject to Special Use Permit.

The following additional uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions.

A. Child care facilities where more than 4 children are cared for. Child care must not exceed 15 children.

B. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks old, but not a commercial kennel. A minimum of 10 acres is required.

C. The keeping of large domestic animals exceeding the maximum number allowed pursuant to section 17.40.020.

D. The keeping, maintenance, display, or possession of 1 or more wild animals.

E. Civic uses including:

1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
2. Helipads and heliports for use only by medical evacuation transport services. ~~Any other use is prohibited.~~ **These uses are prohibited for any other purpose.**
3. Crisis care use, temporary.
4. Libraries, governmental offices, post offices, and community centers.
5. Education including Elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. Student residential and boarding accommodations are prohibited.
6. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

F. Natural resources river restoration regulated under section 17.12.100.

~~F.~~**G** ~~+~~ **One** ~~detached family guest home (also known as mother-in-law quarters)~~ **attached or detached accessory dwelling unit (i.e., mother-in-law quarters) as regulated by section 17.12.046, Accessory dwelling, location and placement.**~~,~~ ~~defined as a structure occupying an accessory position on a lot and used exclusively~~

~~for housing members of the immediate family of those living within the principal residence, or their nonpaying guests subject to a special use permit. The accessory family guest home must meet the following standards:~~

1. ~~A family guest home must be a complete dwelling and include a kitchen and bathroom.~~
2. ~~A family guest home may be no less than 500 square feet in area, nor greater than 1,000 square feet in area.~~
3. ~~If a family guest home is occupied on a permanent basis, a signed affidavit must be filed with the community development department stating who is occupying the guest home. Affidavits will be reviewed annually.~~
4. ~~Septic and domestic water use requirements comply with the applicable Nevada Revised Statutes.~~

17.40.030 Minimum Lot Size.

Each E estate zone must have a minimum acreage limit. The minimum acreage limit number must be the suffix for the respective zone (e.g., "E-1" represents the E estate zone with 1 acre minimum parcel area). ~~No E estate zone may allow a parcel to be below 1 acre in area.~~ **A parcel zoned E must be at least 1 acre.** The area contained within the E estate parcel must be inclusive of all easements, including easements for access to an adjacent parcel. The acreage in each E estate zone is shown in the following table:

Zone and Suffix	Minimum Acreage
E-1	1 acre
E-2.5	2.5 acres
E-5	5 acres
E-10	10 acres
E-40	40 acres
E-1-VCH	1 acre located in Virginia City Highlands
E-10-HR	10 acres located in Highland Ranches
E-40-VR	40 acres located in Virginia Ranches
Other suffix	E estate zones with minimum acreage between the above numbers or larger than 40 acres may be permitted so long as the minimum acreage limitation in the zone existing at the time of adoption of this title is met.

17.40.040 Lot Dimensions

The average dimension of a lot in one direction (front to rear or side to side) may not exceed 4 times the average dimension in the other direction.

17.40.045 Height of Buildings and Structures

A building, ~~manufactured building,~~ manufactured home, or structure may not exceed a height of 3 stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. The height of support structures (towers) for radio, television, other communication antennas, and wind energy turbines is regulated under chapter 17.12 General provisions.

17.40.050 Setback Requirements

Unless stated otherwise in this section, the distance between the building and the property line must be as shown in the following table. Setback requirements for accessory ~~structures~~ **buildings** must comply with section ~~17.12.048~~ **17.12.045**. The front yard setback in the E-1-VCH; E-10-HR; and E-40-VR zones is from the front parcel line except when an encroaching right-of-way easement for access to an adjacent parcel exists. In such instance, the front yard setback is from that easement boundary (see section 17.12.090). Percentages are a percentage of the average lot width; where a percentage and a dimension are indicated, the larger applies.

Estates Zone	Front Setback	Rear Setback	Side Setback
E-1	20 ft.	12 ft.	12 ft.
E-2.5	30 ft.	50 ft.	30 ft.
E-5	30 ft.	50 ft.	30 ft.
E-10	50 ft.	80 ft.	50 ft.
E-40	80 ft.	150 ft.	80 ft.
E-I-VCH	30 ft.	40 ft.	15 ft.
E-10-HR	30 ft.	40 ft.	15 ft.
E-40-VR	30 ft.	40 ft.	15 ft.

17.40.060 Home ~~occupations~~ enterprises

Home ~~occupations~~ **enterprises** are regulated pursuant to chapter 17.12 General provisions.

17.40.070 Generator Restrictions.

Installation of a generator as a power source is not permitted unless the generator is muffled and installed in a sound-insulated building sufficient in design to maintain compliance with noise regulations in chapter 8.04 Health and safety. Generators that are used solely for power in emergencies or power outages need not be muffled or in a sound-insulated building.

17.40.080 Easements and Rights-of-Ways.

All land zoned E estate is subject to existing easements and right-of-ways, including those described in chapter 17.12 General provisions.

17.40.090 Effect of Covenants, Conditions, and Restrictions.

Where covenants conditions, and restrictions (CC and R's) have been, or will be filed in the official records of the county as a condition of approval for the subdivision of a parcel of land within an E estate zone classification, the more restrictive of the two documents (this title or the CC and R's) will apply in all cases pertaining to use or development of the subject property.

Chapter 17.44

SPR Special Planning Review Zone

Sections:

17.44.010 Purpose and intent
17.44.020 Allowed uses
17.44.030 Uses subject to special use permit
17.44.040 Minimum floor area
17.44.050 Minimum parcel area and width requirements
17.44.060 Setback requirements
17.44.065 Building height
17.44.070 Home occupations
17.44.080 Distance between buildings on the same lot

17.44.010 Purpose and Intent

The SPR special planning review zone is intended to provide protections to current mining and milling and the historical remnants within American Flat, Gold Hill, and Virginia City. It provides mechanisms by which remnants of historical mining and milling are preserved. It provides for an environment that remains suitable for current and future mining and milling practices when findings of fact show no substantial impact to surrounding uses and the community. Preserving remnants of historical mining and milling extends to permanent historic structures, cemeteries, mine dumps, and other artifacts existing at or predating the year 1942, and remaining cultural landscapes that are identified in the county master plan as needing special attention when land use are proposed.

17.44.020 Allowed Uses

All allowed uses in the SPR special planning review zone must comply with the applicable provisions of chapter 17.12 General provisions, and must be reviewed and approved by the board with action by the planning commission. The allowed uses are as follows:

A. ~~+~~ **One** single-family dwelling of permanent character in a permanent location.
B. Accessory use, buildings and structures if they are clearly incidental to a permitted use, placed upon the same lot or parcel with a permitted use, and in compliance with section ~~17.12.048~~ **17.12.045-046**.
C. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses included community gardens.
D. Private and commercial equestrian facilities and uses, including riding arenas, rodeos and equestrian events, stables, horse and pony rides, and carriage and stagecoach rides.
E. ~~Child care~~ **Childcare** where 4 or less children are cared for.
F. Storage parking for recreational vehicles, boats, utility trailers, horse trailers and similar equipment owned by the occupant of the permitted principal use, provided that such items are stored entirely on private property.

G. Museums including those related to history, natural resources, mining, milling, trains, railroads, and other subjects.
H. Library and cultural services.
I. Signs as regulated by chapter 17.84 Signs and billboards.
J. Any material or site improvement to enhance and promote the V&T Railroad and/or V&T Railway.
K. Civic uses including:
    1. Public facilities and offices for fire, emergency services, and sheriff. Jails are prohibited.
    2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other ~~use~~ **purpose**.
    3. Crisis care use, temporary.
    4. Libraries, governmental offices, post offices, and community centers.
    5. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. A special use permit is required student residential and boarding accommodations.
    6. Picnicking areas, parks, dog parks, walking and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

17.44.030 Uses Subject to Special Use Permit

A special use permit will be required for following uses or development which is determined by the board with action by the planning commission to be potentially incompatible or detrimental to the purpose and intent of the SPR special planning review zone.

A. Mining and extraction as regulated by chapter 17.92 Exploration, mining, and extraction.
B. Milling and processing associated with mining and extraction.
C. Temporary (less than 1 year) concrete and asphalt batch plants when not incidental to an on-site construction project or when located within 2,500 feet of a CR, E, R, or SPR zone.
D. Bed and breakfast inns offering accommodations for up to 8 guests, subject to providing one off-street parking space for each additional 10,000 square feet of lot area.
E. Education facilities that include student residential and boarding accommodations.
F. Indoor and outdoor archery clubs and indoor gun club for the sport of shooting at moving or stationary targets or education related to the use and safety of firearms and archery.
G. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.
H. Commercial kennel. A minimum of 10 acres is required.
I. Cemeteries, but not columbariums, crematories, mausoleums, mortuaries, or funeral parlors.
J. Congregational establishments, including religious institutions, fraternal lodges, recreational and social clubs, labor halls, service clubs and facilities for other

private clubs.

K. Maintenance, display, or possession of one or more wild animals.

L. Open storage.

M. Natural resources river restoration regulated under section 17.12.100.

~~L.~~**N.** Other similar uses to the above which are determined by the board with action by the planning commission to be consistent with the uses permitted within the zone.

17.44.050 Minimum Parcel Area and Width Requirements

The SPR special planning review zone must have a minimum acreage limit. The minimum acreage limit number is the suffix for the respective zone (e.g., "SPR-5" is an SPR Zone with 5,000 square feet minimum parcel area). ~~No SPR zone may allow a parcel to be below 5,000 square feet in area.~~ **A parcel zoned SPR must be at least 5,000 square feet.** The area contained within the SPR zoned parcel includes all easements, including easements for access to an adjacent parcel. SPR zones have the following designated minimum parcel area and minimum parcel width: **The minimum area and width for each SPR zone is indicated in the following table:**

Zone and Suffix	Minimum Lot Area (square feet)	Minimum Width From Street (feet)
SPR-5	5,000 ~~square feet~~	50 ~~feet~~
SPR-6	6,000 ~~square feet~~	50 ~~feet~~
SPR-8	8,000 ~~square feet~~	60 ~~feet~~
SPR10	10,000 ~~square feet~~	60 ~~feet~~
SPR15	15,000 ~~square feet~~	80 ~~feet~~
SPR20	20,000 square feet	100 ~~feet~~

~~The area of a lot created after the effective date of this title must not be less than the minimum area required by the zone. Where an existing lot has less area than required and was recorded prior to the date of the adoption of this title, the lot may be occupied by not more than 1 residential dwelling.~~

17.44.060 Setback Requirements

The required distance between the building and the property line is indicated in the following table. Setback requirements for accessory structures must comply with section ~~17.12.048~~ **17.12.045.**

Zone and Suffix **and Lot Configuration**	Front Setback	Side Setback	Rear Setback
SPR-5, SPR-6, SPR-8, and SPR10	20 feet	8 feet	20 feet
SPR15	30 feet	8 feet	20 feet
SPR20	40 feet	8 feet	20 feet
Corner lot facing two streets	**Same as above**	**10 feet street side; 8 feet non-street side**	**Same as above**

17.44.065 Height of Buildings and Structures

A building, ~~manufactured building,~~ manufactured home, or structure may not exceed a height of 3 stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. The height of support structures (towers) for radio, television, other communication antennas, and wind energy turbines is regulated under chapter 17.12, General provisions.

17.44.070 Home ~~Occupations~~ Enterprises

Home ~~occupations~~ **enterprises** are regulated ~~pursuant to~~ **under** chapter 17.12 General provisions.

17.44.080 Distance Between Buildings on the Same Lot

A minimum distance of ~~10~~ **6** feet is required between ~~a building used for residential dwelling purposes and an accessory~~ buildings. ~~A minimum distance of six feet is required between accessory buildings.~~ Setbacks and distances for accessory structures is regulated by section 17.12.04~~4~~**5**.

Chapter 17.48

H Historic Overlay District

Sections:

17.48.010 Adoption of state provisions
17.48.020 Applicability of chapter provisions
17.48.030 Boundaries
17.48.040 Applicability of state provisions
17.48.050 Limitations, uses and conditions generally
17.48.060 Construction of commercial buildings on "C" Street in Virginia City and the main street in Gold Hill
17.48.070 Buildings, structures, and exteriors
17.48.080 Variance

17.48.010 Adoption of State Provisions

The provisions of NRS 384 establishing the Comstock Historic District together with any rules or regulations adopted thereto are made a part of this title within the H historic overlay zone.

17.48.020 Applicability of Chapter Provisions

The H historic overlay zone is governed by the provisions of this chapter.

17.48.030 Boundaries

The boundaries of this zone are fixed pursuant to the terms of NRS 384 establishing a Comstock historic district

17.48.040 Applicability of State Provisions

The provisions of NRS 384 and any rules or regulations adopted pursuant thereto are applied to this overlay zone.

17.48.050 Limitations, Uses and Conditions Generally

All of the limitations, uses, and conditions of the underlying zone classification are applicable to this zone.

17.48.060 Construction of Commercial Buildings Abutting State Route 342 in Gold Hill and Virginia City

All commercial buildings constructed in this overlay zone abutting State Route 342 in Gold Hill (Main Street) and Virginia City ("C" Street) have wooden porches over the top of the sidewalks, and must have sidewalks constructed of wood in the front of the buildings unless a variance for good cause is granted by the board with action by the planning commission. Setback distances for commercial and commercial-residential buildings must comply with chapter 17.28 Commercial zone, and chapter 17.30 Commercial-residential zone, respectively. A variance to the requirements of this section may not conflict with the provisions of NRS 384.

17.48.070 Buildings, Structures, and Exteriors

Buildings, structures, and exteriors must comply with the requirements of this section. The following standards apply to all buildings, structures, and exteriors located within portions of the Comstock Historic District within the county as established by NRS 384.

A. All exterior materials must consist of a substance shown to have existed prior to 1942, and building and structure exteriors must be appropriate in design for that time period.

B. Outdoor signs and advertising devices must comply with the provisions of chapter 17.84 Signs and billboards.

C. Lighting within 2,000 feet of the Comstock Historic District boundaries is limited to incandescent lighting or indirect (concealed) fluorescent, Compact Florescent Lighting (CFL), or Light Emitting Diode (LED) type lighting. CLF and LED light emitting devices which are made to look like incandescent light "bulbs" are permitted to be plainly visible. No neon, or blinking, flashing, chasing, or motion lights are permitted. The regulations of this provision shall including other light emitting devices which appear similar to neon signs, such as those which employ LEDs similar in hue to neon and configuration to show a continuous stream of light.

17.48.080 Variance

A variance to the provisions of this chapter may be made as regulated by chapter 17.03 Administrative provisions. The variance must not conflict with the provisions of NRS 384.

Chapter 17.56

PUD Planned Unit Development

Sections:

17.56.010 Purpose
17.56.020 General provisions
17.56.030 Procedure for application, noticing, hearing, and decision
17.56.040 Required findings for application and approval
17.56.050 Development plan components
17.56.060 Minimum development standards
17.56.070 Density and intensity standards
17.56.080 Increase in density
17.56.090 Common area requirements
17.56.110 Common area organization of ownership
17.56.120 Failure of an organization to act
17.56.130 Action by the county
17.56.140 Maintenance for succeeding years
17.56.150 Expense and maintenance

17.56.010 Purpose.

A planned unit development (PUD) is intended to further the public health, safety, morals, and general welfare when considering residential and non-residential subdivisions. A PUD provides for diversified housing types and design; provides for necessary commercial and industrial facilities conveniently located to that housing; encourages a more efficient use of land, public services or private services; better conforms to the local geography and topography; reflects changes in the technology of land development so that resulting economies may be made available to those who need homes; to insure that increased flexibility of substantive regulations over land development authorized in this chapter is administered in such a way as to encourage the disposition of proposals for land development without undue delay, and create a mixture of uses in the adopted ordinances.

17.56.020 General Provisions

A. The board with action by the planning commission may only approve the level of intensity or density that is appropriate for a particular location as allowable by the provisions of this chapter. The body is not obligated to approve a PUD or the level of development intensity or density requested for a PUD. The board with action by the planning commission may require as a condition of approval, any condition, limitation, or design factor that will promote proper development and the use of effective land uses transitioning.

B. The entire property proposed for development as a PUD must be under common ownership or unified control to ensure unified development.

C. An application for a PUD may be accepted for any land in the county except for land described in subsections (D) and (E) below.

D. The overall site of a proposed PUD must be at least 5 acres in area. A PUD application for areas of less than 5 acres may be considered by the director if the applicant shows that the waiver of this requirement is in the public interest and that at least 1 of the following conditions exists:

1. Unusual physical features of the site or the surrounding neighborhood are such that development under the standard zoning provisions would not conserve the unique physical features of the site or would not allow functional or environmental compatibility with the surrounding neighborhood; or
2. The site is adjacent to an area which has been developed under the provisions of a PUD and will contribute to the amenity and functionality of the neighborhood.

E. PUDs are prohibited in the "NR" Natural Resources zone and "P" Public zone.

F. PUDs are prohibited within the Virginia City township boundaries in order to retain the historically appropriate grid pattern development of the town. Historical development patterns and historically compatible site design must be considered by the board and planning commission when reviewing and approving PUDs in Gold Hill and other land in the Comstock Historic District.

G. The PUD tentative map must show zones existing before the PUD ("existing zones") and proposed zones within the PUD ("new zones"). Existing zones and land uses within 1,000 feet of the proposed PUD boundary must also be shown on the tentative map. New zone classifications and uses may only be those included in this title.

H. The PUD development plan must show the proposed new zones and land uses and provide development standards that will regulate those uses in conformance with this chapter and title. The development plan must comply with or surpass the standards established in the zones of similar uses in the county.

I. Commercial and industrial PUDs and those uses in residential mixed-use PUDs are not allowed to abut existing E or R zones.

J. The density, intensity, and allowable uses in the PUD are regulated pursuant to section 17.56.070 Density and intensity standards.

K. Residential PUDs must comply with the requirements of NRS 116 Common Interest Ownerships.

L. Except as prohibited by the provisions of this chapter, the board with action by the planning commission has the authority, in connection with the granting of a PUD, to change, alter, vary, or modify one or more of the provisions of this title as they deem appropriate, provided that the PUD complies with the required findings for approval in subsection 17.03.230(D) and the use under this title is not expressly prohibited in the zone.

M. The PUD project must be inaugurated within the time-frame as established by a development schedule pursuant to subsection 17.03.230(G) (development schedule).

17.56.030 Procedure for Application, Noticing, Hearing, and Decision

The procedure for a pre-application conference, application submittal and review, noticing, hearing, and action of the board and planning commission is regulated pursuant to chapter 17.03 Administrative provisions.

17.56.040 Required Findings for Application and Approval

The PUD application must show that the required findings of fact pursuant to subsection 17.03.230 (D) are met. The board and planning commission must, at a minimum, include those findings in its approval of the PUD.

17.56.050 Development Plan Components

The application for a PUD must include a development plan that meets the requirements in this section and chapter. The community development department may require additional information in the application it deems necessary to evaluate the proposed development.

A. Subdivision layout and lot design.
B. Existing and proposed public and private street, sidewalk, other right-of-way improvements, including vehicular parking, interior traffic flows, and development ingress and egress points. The plan must also include existing area road and highway improvements (including necessary expansions and improvements) that will connect the PUD with the surrounding communities and roadway systems.
C. Areas proposed to be dedicated or reserved for any public use including, but not limited to, public utilities and easements, public buildings and facilities, and public right-of-ways.
D. Areas proposed to be reserved for required common area pursuant to section 17.56.090.
E. Existing land uses and zone classifications within 1,000 feet of the external boundary of the proposed development.
F. Proposed land use and zone classifications within the PUD.
G. A minimum of 3 house model plans and 3 elevations for each house model for single-family dwellings, and a minimum of 2 building model plans and 2 elevations for each multi-family building. Portions of a PUD for which only custom homes are proposed or when lots are 1 acre or greater in area are exempt from this requirement.
H. Maximum building heights.
I. Maximum coverage of lot areas.
J. Minimum distance between structures.
K. Minimum setbacks from interior lot lines.
L. Minimum setbacks from street rights-of-ways.
M. Landscaping, screening, and outdoor lighting.
N. Projected population and population densities within the development, including estimated population during each anticipated phase of development.
O. Projected vehicular traffic generation, including for different parts of the day such as morning and afternoon commuting times.
P. Development schedule as described in chapter 17.03 Administrative provisions.
Q. Detailed written narrative discussing how the findings for approval in subsection 17.03.230(D) will be met.

17.56.060 Minimum PUD Development Standards

A. The PUD's development standards will be those which are established by NRS, this chapter and title, the approved development plans and tentative map, and other requirements of the board with action by the planning commission.

B. The PUD must conform to all applicable county codes, including building and fire codes. A PUD must comply with this title and Title 16 with respect to site development standards, including parking, landscaping, screening, environmental standards, signs, and maintaining a minimum 10 foot building setback from project parameters. Variance or waiver applications to reduce requirements will not be accepted unless expressly allowed within the respective regulations of this title.

C. All infrastructure and right-of-way improvements, whether public or private, are required to meet full county standards pursuant to NRS 278.230 through 278.320 inclusive. The board with action by the planning commission may consider dedication of roads and other right-of-ways. Private use and management of roads and right-of-ways may be permitted upon approval by the board.

   1. If determined by the board to be necessary for proper traffic circulation, the applicant may be required to provide improved ingress and egress to the development, including acceleration and deceleration lanes, traffic control devices, including channelization and signalization. These improvements must be offered for dedication to the county or state, whichever has jurisdiction.

D. Additional density than that allowed by the existing zone, except in E and R zones in which increased density is prohibited, may be allowed as provided for in sections 17.56.070 and 17.56.080, if the board with action by the planning commission determines the increase in density is justified by the provisions of required common area and other design amenities that contribute positively to the beneficial effects of the development for the community and its existing surrounding zones and uses.

E. Transition requirements from adjacent properties.

   1. A proposed development must incorporate height and density transitioning considerations along its perimeter to achieve an orderly transition between it and existing residential developments and residential zones on adjacent properties. Unless determined otherwise for good reason by the board with action by the planning commission, buildings and units proposed to be located along the perimeter of the proposed development must maintain setback distances and stay within 50 percent tolerance range of the height and density of residential development and residential zones that are adjacent to, or across the street from, the proposed development's perimeter.
   2. Transitioning considerations include a range of design features related to existing and proposed development. These include, but are not limited to, height, mass, density, appropriate buffers, architecture, landscaping, loss of privacy, unsightly views, pedestrian and vehicular traffic circulation, parking concerns, and environmental impacts.

F. Development proposed on hillsides and other steep topography, and along ridgelines, must meet the minimum requirements of this subsection. The board and planning commission may consider alternatives proposed by the applicant to allow necessary development in these areas when the development plan shows that the purpose and intent of this section is met.

1. Grading and development of roads, structures, and building sites must be minimized within slopes of 15 percent or steeper grade; canyons and ravines; prominent rock outcroppings; and other significant geographic features, in order to retain ground stability and visual value and scenic character of the surrounding natural landscape.
2. Building design and overall development must be of innovative techniques and building design that responds to the natural topographic contours and pronounced ridgelines. This is achieved by "clustering" development into areas having lesser or no slope; applying shapes and colors to structures that reasonably blends into the backdrop hillside environment; increasing setback distances between perimeter structures which may encroach into a ridgeline's sky backdrop; allowing only one-story buildings boarding the natural ridgeline; and configuring roofs so that only roof face slopes (no gables) are visible.
3. Landscaping must be designed and placed to mitigate soil erosion, lessen visual impact of grading and other development, reduce water consumption, and lessen risk of fire to the development and surrounding area.

G. Unless provided otherwise in this chapter, setback distances, building heights, distances between buildings, lot size and dimension, parking, and lot coverage must conform to the regulations in the respective zones in which the buildings are located within the PUD.

H. The following minimum standards apply to all single-family residential development creating parcels less than one-half acre in size and all multi-family residential developments within the proposed development.

1. Garages and garage fronts.
    a. At least 25 percent of the garages along a street must have setbacks which are 5 feet greater than the minimum front-yard setback and setback a minimum of 5 feet behind the building's main residence. Garages on interior lots which are accessed from the side and incorporate architectural features, such as windows, along the street frontage may also be considered for meeting this requirement.
    b. A garage may be of any size provided that the overall structure conforms to the design requirements of this chapter, the provisions of this title, and the requirements listed in subsections 1) and 2) below. The following garage door opening limitations do not apply when the garage is accessed from the rear of the property or an alley.
        1) The combined car door width may not exceed 28 feet on lots 5,000 square feet or less. One car door must be recessed or otherwise off-set.

2) The combined car door width may not exceed 32 feet on lots between 5,000 and 7,000 square feet. One or more doors must be recessed or otherwise off-set.

2. Except for PUD projects for which only custom homes are proposed, there must be a minimum of 3 house model plans and 3 elevations for each house model for single-family dwellings and a minimum of 2 house model plans and 2 elevations for each multi-family development. The same elevations must not be repeated on either adjacent side of a single-family or multi-family dwelling. A mixture of one-story and two-story houses, front porches, bays, and balconies are encouraged as ways of achieving variety.
3. Windows, doors, and garage doors (except recessed garage doors) on the front elevation must have raised trim in order to provide visual interest and relief.
4. Windows and door fenestration on all sides of units located along the development's perimeter, except for side elevation located less than 20 feet from another residential side elevation, must be applied to buildings.
5. Contrasting color schemes used to create visual depth around windows, doors, and corners must be applied to buildings.
6. There must be a minimum of 1 principal window treatment on every elevation (front, side, or rear) that faces the street (public or private) or required common area that may include, but is not limited to, pop-outs, decorative wrought iron, wood trim, shutters, plant shelves, and other features or embellishments to vary and soften the visual exterior.
7. The body will consider the relationship of second-story windows, doors, and balconies with the privacy of neighbors, and may require that these features be redesigned or omitted from second-story rear and side walls. The body may also prohibit two-story structures from parcels along the exterior boundary of the development and within the transition area described in subsection 17.56.060 (E).
8. At least 3 of the following design features must also be applied.
   a. Enhanced corners (pop-outs, embellishments, etc.).
   b. Deep recessed or off-set garages.
   c. One or more low roofs (one story roofs).
   d. Second story stacked at greater setback than first floor to facilitate first floor roof features, especially when located immediately above the garage.
   e. Roof overhangs.
   f. Porch or courtyard on every elevation (pony walls and/or decorative wrought iron) may be used for courtyard enclosures.
   g. Enhanced window fenestration on all front elevations and all second story windows facing a street or required common area.
   f. Deck, patio, or balcony options.

I. Single-family residential front yards must be landscaped with trees, appropriate groundcover, shrubbery, and irrigation systems. The landscaping must be installed prior to occupancy, or a private agreement (i.e. CC&R's) must be recorded establishing that a homeowners association or other private

organization will require completion of front-yard landscaping within 1 year of occupancy and maintenance thereafter.

J. Multi-family residential developments must be landscaped with trees, appropriate groundcover, shrubbery, and irrigation systems. The landscaping must be installed prior to occupancy. A private agreement (i.e., CC&Rs must be recorded establishing that a homeowners association or other private organization will require maintenance of the landscaping.

K. The perimeter areas of the PUD that are adjacent to public roads and right-of-ways must be landscaped with trees, appropriate groundcover, shrubbery, and irrigation systems. The required landscaping area does not count toward the required common area pursuant to section 17.56.090. Perimeter landscaping must be irrigated with reclaimed "gray" water.

L. Streets, highways, alleys, sidewalks, and pedestrian ways must conform to the requirements in title 16 Subdivisions. Collector and local roads in residential PUDs, except in E zones, must be designed to avoid long, straight expanses which encourage high speed vehicular travel and are not aesthetically appealing. Providing a minimum 25 foot lateral deviation from a straight course for every 350 feet of street length or other design measures may be used to achieve this goal.

M. Pedestrian travel. Provision for bicycle and pedestrian pathway systems, especially to designated potential common area or park areas, trails, scenic sites, viewpoints, and public transit access to the site must be provided. Any required landscaping may be within a trail dedication; however, it may not obstruct the intended use of the trail. Landscaping along trail systems must be irrigated with reclaimed "gray" water.

N. Parking. Parking for commercial and industrial PUDs is pursuant to Title 16 Subdivisions and the provisions of this title. Parking for a single-family or multi-family residential development must be provided as follows. Reduction to these standards may only be permitted with an approval of a waiver of development standards by the board with action by the planning commission.

   1. 2 spaces per dwelling unit must be provided. Both spaces must be on-site unless an alternative is specifically approved per subsection (3) below.
   2. 1 additional space must be provided for every 5 residential units which may be off-site or designated visitor parking.
   3. Exception. Where the on-street parking is legally allowed and functionally feasible in terms of a PUD's overall design, each on-street parking space may be substituted for a one-for-one basis for each unit requirement provided that a detailed parking analysis and plan that satisfied functional and safety standards is submitted and approved.

O. Optional amenities. In addition to the requirements of this section, the following optional amenities are encouraged (but not required) for all PUDs.

   1. Enhanced paving and design features at intersections, courtyards, driveways, etc.
   2. Staggered setbacks for all adjacent homes.
   3. L-curbs to prevent parking on sidewalks.
   4. Recessed or rear-entry garages.

5. Energy-conserving permeable pavement on private streets, drives, and sidewalks.
6. Renewable energy systems for heating and cooling.
7. Renewable energy features such as preservation of solar access with selective window orientation and added glazing to maximize heating and cooling efficiency.
8. Use of landscaping, natural topography, and energy-efficient building layouts for natural windbreaks and shade.
9. Higher insulation levels.
10. Resource conserving designs and use of recycled construction materials.
11. Preservation of unique historical cultural features, including natural topography, air, sunlight, and scenic resources.

P. Flood control and drainage must conform to the regulations under title 16 Subdivisions, title 15 Flood Damage Prevention, and other provisions of the code.

Q. The board with action by the planning commission may impose additional requirements deemed necessary for consistency with the findings required by subsection 17.56.230(D). These may include but are not limited to amenities, such as recreation or play areas and common area, to compensate for any deviations that may be permitted.

R. Arrangement of light industrial uses in a residential PUD. Light industrial uses listed in section 17.34.020 Permitted uses, when allowed by this chapter within a residential PUD, must be developed in a park-like surroundings, utilizing landscaping, common area, and the existing natural environment as buffers to screen lighting, parking areas, loading areas or docks, and/or outdoor storage of raw materials or products. Light industrial use with the residential PUD must provide for the harmony of buildings and a compact grouping in order to economize in the provision of such utility services required. Thoroughfares must be kept to a minimum throughout the planned industrial area in order to reduce through traffic. At least 100 feet of setback distance must separate light industrial and residential uses within the PUD. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas, and improved areas must be landscaped with trees and plantings and properly maintained at all times.

S. Arrangement of commercial uses in a residential PUD. Commercial and commercial-residential mixed-use buildings and establishments must be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planting screens or fences must be provided on the sides of the commercial development abutting existing and proposed single-family residential uses within the PUD. For integrated commercial-residential mixed-uses, this screening is not needed when it complies with the overall site design requirements of this subsection. The development plan must provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and

efficient from the standpoint of the adjoining, surrounding existing and potential developments. All areas designed for future expansion or not intended for immediate improvement or development must be landscaped or otherwise maintained in a neat and orderly manner as required by the county code.

17.56.070 Density, Intensity, and Use Standards

A. For purpose of calculating residential density, the plan must separately designate a development envelope by phase of development for each type of residential use and each area to be developed for non-residential use.

B. Except as provided for in subsections (1) thru (3) below, the uses allowed in the zones existing prior to the PUD are those allowed in the PUD, including uses listed as permitted and accessory. Special use permit requirements for uses in existing zones will also be required in the respective new PUD zones.

1. A special use permit pursuant to chapter 17.32 (forestry zone) is not required for residential uses as part of the approved PUD in the F zone.
2. Up to 25 percent of a residential PUD (minus common area) proposed within existing A, F, and SPR zones may also include commercial, commercial-residential, and light industrial uses in order to create a mixed-use residential type environment. Allowed light industrial uses are those listed as permitted uses (not requiring a special use permit) under chapter 17.34 I1 Light industrial zone. Light industrial uses requiring a special use permit, heavy industrial uses, and special industrial uses are prohibited in residential PUDs.
3. An additional 10 percent of commercial and light industrial uses, inclusive, may be added to the residential PUD if at least 75 percent of the area devoted to the uses pursuant to subsection (2) above includes combined commercial-residential mixed-use.

C. The following are the allowed densities within a PUD:

1. Unless stated otherwise in subsections (2) and (3) below, the density allowed in the zone existing before the PUD is the density allowed in the PUD.
2. Where the PUD is located over existing A and F zones, the density of each new zone in the PUD may be increased to the level allowed in the approved tentative map. The minimum common area requirements in section 17.56.090 still apply.
3. Density bonuses may be granted pursuant to section 17.56.080 (increased density) for PUDs applicable to subsection (2) above. The minimum common area requirements in section 17.56.090 still apply.

D. The density of residential development within the PUD is calculated by dividing the acreage of the residential development envelope by the minimum parcels size authorized within the existing zone. The following steps are used to calculate the total number of residential units allowable within the PUD.

1. Deduct areas devoted to non-residential uses, such as commercial, commercial-residential, and industrial uses from the total PUD site area. Common area is not deducted from the total PUD site area.
2. Determine the number of residential units allowed under the existing zone by dividing the net residential development envelope size determined in step (1) above by the minimum parcel size permitted by the existing zone. Round

down any fraction to the next lowest whole number to obtain the number of allowable units.

3. The residential development envelope may bridge existing zone boundaries and may be subdivided into phases provided that the density of any given phase does not exceed that allowed under the provisions of this chapter within that phase of the PUD.
4. The average lot size or the lot size for particular tracts within the PUD may be increased above or decreased below the average for the development envelopes in order to ensure compatibility and appropriate transitioning with adjacent development within or outside the PUD (see section 17.56.060(E).

17.56.080 Increases in Density

A. The allowed density may be increased as provided in section 17.56.070(F) in order to enhance development compatibility and appropriate transitioning between the proposed PUD and existing E and R zones and their uses.

B. A density bonus of one-half percent for every 1 percent of the PUD that is reserved for common area beyond the minimum requirements of this chapter, or agricultural easement area, may be granted in the PUD approval. The common area must meet the requirements of this chapter and the agricultural area must meet the requirements of chapter 17.24 Agriculture zone. Agricultural uses requiring a special use permit pursuant to section 17.24.025 are prohibited in PUDs.

C. The density bonus described in subsection (B) above may be increased from one-half percent to 1 percent when at least 10 percent of the PUD includes integrated commercial, light industrial, and commercial-residential mixed uses.

17.56.090 Common Area Requirements

All planned unit developments with 10 or more lots or units and at 6 or more units per acre, regardless of how many lots or units, must have common areas reserved as provided in this section. The location of any common area is determined individually for each PUD and will be based upon geographic and topographic characteristics of the site or other factors to meet the objectives of this chapter. Common area within the PUD must meet the requirements of this section.

A. In order to conform to the purpose and intent of the existing zone, and to make PUDs compatible with existing surrounding uses and zones, the PUD must include common area as required in the existing zone and shown in Table A. Each building envelope in the PUD must include the required common area for that new zone. This common area requirement applies to residential, commercial, and industrial PUDs.

Zone	Required common area	Zone	Required common area
A	65 percent	I	35 percent
C	25 percent	P	0 percent
CR	25 percent	R	35 percent
E	60 percent	SPR	35 percent
F	60 percent		

Table A. Minimum common area requirements

B. Common area in residential PUDs may not include streets or alleys (public or private), sidewalks adjacent to streets, driveways, parking areas, storage, laundry or utility facilities, RV and boat storage areas, or areas covered by residential, commercial, or industrial structures, or their accessory structures. Common area may include the area between the curb and detached sidewalk, excluding driveways, when that area is landscaped with trees and appropriate groundcover.

C. Common area in residential PUDs may include the grounds of public K-12 schools, including recreation areas, athletic fields and playgrounds, and other areas not listed as excluded in subsection (B) above.

D. Up to 20 percent of common area in commercial and industrial PUDs may include parking areas, utility facilities, and open drainage ways.

E. Common area within multi-family residential developments may include landscaping, walking trails, swimming pools, and outdoor recreation facilities.

F. Common area may include golf courses (public or private), including fairways and other recreation areas and facilities, provided that the cumulative area does not account for no more than 50 percent of the required common area. Golf courses must be irrigated with reclaimed "gray" water.

G. Common area may include equestrian trails and uses when open to the residents of the PUD.

H. At least 25 percent of the required common area must have a slope of 15 percent or less. At least 50 percent of the required common area having a slope of 15 percent or less must be landscaped with trees, shrubs, grass, or xeriscape landscaping, and have appropriate irrigation systems. A minimum of 100 square feet per residential unit must be designed for recreation, which may include, but not be limited to, picnic areas, sports courts, a soft-scape surface covered with turf, sand, or similar materials acceptable for safe use by young children, including play equipment and trees, with a slope of 5 percent or less and no dimension less than 25 feet, inclusive of the required landscaped area. The use of existing, native vegetation may be used in conjunction with trails or other amenities not listed in this subsection to satisfy the requirement for improved recreational areas.

I. At least 50 percent of the required common area must consist of connected, contiguous area that are greater than or equal to 200 square feet with widths no smaller than 10 feet.

J. Common areas must be accessible to all property owners within the PUD and connected by a comprehensive on-site pedestrian circulation system. Common areas must enhance circulation within the site, promote pedestrian use and safety, and improve a site's aesthetic qualities.

K. Common areas that are conveniently located, accessible, and visible for the occupants of the PUD must be provided as required and may contain

such elements as public parks, pools, tennis courts, ball fields, and various buildings or structures intended for recreational use.

L. Common area, including plazas and courtyards, should (but are not required to) be designed, located, and landscaped to take advantage of solar orientation, maximize water conservation measures, and afford summer shade and winter sunshine.

M. Where possible, on-site recreation areas should (but are not required to) be linked with any appropriate transportation, bicycling, common area, trails, or other similar approved plan. When the property is on a trail designated by an adopted plan, the trail must be provided and that area developed for the trail may be counted as part of the required common area, even if the trail is dedicated. Similarly, if the identified trail is planned for a natural drainage way adjacent to or bisecting the development, the area of the drainage way developed as a trail or with other recreational amenities may be counted as part of the common area as well.

N. Allocation of common areas must be made to each development envelope and for each phase of the PUD. The board with action by the planning commission may require common area beyond the requirements of this chapter for particular development envelopes or phases of the PUD. In the event that common area is not to be provided proportionally by phase, the developer must execute a reservation of common area by grant of easement or covenant in favor of the county authorizing the county to reserve all or a portion of the reserved area to common area in the event that the development is not completed.

17.56.110 Common Area Organization of Ownership

Common area will not be accepted for dedication to the county. The developer must provide for and establish an organization such as a homeowners association for the ownership and maintenance for any and all common areas and other common property which includes the following:

A. The form of document or covenant that will legally create an automatic membership, nonprofit homeowners, or occupants association.

B. The style of ownership in the common area and other common properties.

C. Restrictions on the use of the common area and other common properties.

D. System for the operation and maintenance of the common area and other common property.

E. System of charges or assessments on each PUD owner or occupant to assure sufficient funds for maintenance of the common area and other common property, and payment of county assessed property taxes for the common area and other common property.

F. Residents or occupants of PUDs may, to the extent and in the manner expressly authorized by the provisions of their conditions, covenants, and restrictions modify or remove their rights to enforce the provisions or their conditions, covenants, and restrictions, but no such action may affect the right of the county to enforce the provisions of this chapter.

G. The documents or forms must be reviewed by the district attorney and community development department prior to tentative approval. All documents required by the county must be in a form that may be enforced by the county.

17.56.120 Failure of an Organization to Act

A. Prior to establishing an organization that will provide for the ultimate ownership and maintenance of any common area and other common property, the landowner will be responsible for the proper operation and maintenance of such properties. Proper operation and maintenance must constitute full compliance of the plans and schedules for such areas as approved by the board. The landowner must remain responsible for the ownership, operation, and maintenance of the common area and other common property until a minimum of 40 percent of the total PUD units have been sold to individual buyers and the responsibility of the common areas has been transferred to the organization.

B. If an organization established by a landowner to provide for the ownership and maintenance of any common areas and other common property, at any time after the reestablishment of a PUD, fails to maintain the common areas and other common property in reasonable order and condition in accordance with the development plan, the county may serve written notice upon such organization or upon the residents of the PUD, setting forth the manner in which the organization has failed to maintain the common area or other common property in reasonable condition. The notice must include a demand that the deficiencies of maintenance be cured within 30 days of the receipt of the notice and must state the date and place of a hearing before the board, which must be within 14 days after the expiration of the 30 day notice. At the hearing, the board may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they must be cured.

17.56.130 Action by the County

If the deficiencies set forth in the original notice or in the modification thereof are not cured within the 30 day period, or any extension, the board, in order to preserve the taxable values of the properties within the PUD and to prevent a common area and other common property from becoming a public nuisance, may direct county departments or their designee to enter the common area or other common properties and maintain it for a period of 1 year or less. This, however, does not release the organization, residents, or occupants of the PUD from any liability which they would otherwise have.

17.56.140 Maintenance for Succeeding Years

Before the expiration of the period of maintenance the board must upon its own initiative, call a show cause public hearing upon notice to the organization or to the residents of the PUD. At this hearing, the organization, residents, or occupants of a planned unit development must show cause why maintenance by the organization or residents of the PUD cannot be continued for the succeeding years. If the board determines that the organization is ready and able to maintain the common area or other common property in a reasonable condition, the county must cease its maintenance at the end of the year. If the board determines that the organization is not

ready and able to maintain the common area or other common properties in a reasonable condition, the county may, at its discretion, continue the maintenance of the common area or other common property during the succeeding years.

17.56.150 Expense of Maintenance

The cost of any and all maintenance and operations undertaken by the county must be assessed proratably against all properties in the PUD and it must be a tax lien upon the properties.

Chapter 17.76

NR Natural Resources Zone

Sections:

17.76.010 Purpose
17.76.030 Uses subject to a special use permit
17.76.040 Accessory uses and structures
17.76.050 Minimum parcel area requirements
17.76.060 Setback requirements
17.76.070 Height of buildings and structures
17.76.080 Generator restrictions

17.76.010 Purpose

The purpose of this chapter is to promote the preservation of land to conserve and enhance natural and scenic resources, archaeological, and cultural sites, primitive areas, watersheds, flood-prone areas from unreasonable impairment.

17.76.020 Uses Subject to a Special Use Permit

The following uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions:

A. One single-family detached dwelling of permanent character and location. A minimum of 40 acres is required.

B. General agricultural uses, agricultural animal production, agricultural entertainment, accessory structures related to the agricultural use, and custom animal processing.

C. Agricultural and horticultural uses for domestic purposes and incidental to the permitted uses. Uses include community gardens.

D. The keeping of ~~7~~ **5** or more dogs or **3 or more** pot-belly pigs more than 12 weeks of age. A minimum of 10 acres is required.

~~E. Commercial kennel. A minimum of 40 acres is required.~~

F. The keeping of bees for agricultural purposes when beehives are setback at minimum of 200 feet from CR, E, R, and SPR zones and occupied residential uses within the premises, and 50 feet from any shared access easement or public right-of-way.

~~F.~~**G.** Civic uses including:

1. Public facilities and offices for fire, natural resource protection or restoration, and emergency services.

2. Helipads and heliports for use only by medical evacuation transport services. These uses are prohibited for any other ~~use~~ **purpose.**

3. Education including elementary, middle, and high (K-12) schools and academies, colleges and higher education, technical and vocational education, apprentice training, whether public, private, or parochial. Student residential and boarding accommodations are prohibited.

4. Picnicking areas, parks, dog parks, walking, hiking, and bicycle trails, interpretive trails, restroom facilities, and information kiosks.

~~G.~~**H.** Cemeteries.

~~H.~~**I.** ~~Watershed protection and restoration, water storage reservoirs, pipelines, irrigation canals and ditches serving watershed protection and restoration.~~ **Natural resources river restoration regulated under section 17.12.100.**

~~I.~~**J.** Archeological discovery and research sites.

~~J.~~**K.** Growing and preservation of trees and nursery stock.

~~K.~~**L.** Hunting, fishing and skiing lodges wildlife refuges, game farms and public campgrounds.

M. Accessory use, buildings, and structures incidental to allowed uses in this section, placed upon the same lot or parcel with the allowed uses, and compliant with section 17.12.045. Accessory dwelling units must conform to section 17.12.046. A principal building may not be required for an accessory structure incidental to the allowed uses on the premises; however, a principal single-family residential dwelling is required for an accessory dwelling to be approved.

17.76.030 Accessory Uses and Structures

Accessory uses, buildings, and structures are considered a permitted use if they are clearly incidental to another permitted use listed in section 17.76.020. The provisions of section ~~17.12.048~~ **17.12.045** also apply to accessory structures.

17.76.040 Minimum Parcel Area Requirements

No parcel may be less than 1 acre. A minimum of 40 acres is required for a residential use.

17.76.050 Setback Requirements

~~A structure or accessory building may not be located closer than 30 feet to the front property line, 40 feet to the rear property line, or 15 feet to the side property line.~~ **Minimum building setbacks in the NR zone are: front, 30 feet; rear, 40 feet; and side, 15 feet.**

17.76.060 Height of Buildings and Structures

A building, ~~manufactured building,~~ manufactured home, or structure may not exceed a height of 3 stories or 35 feet, whichever is higher, except as may be allowed by a variance. The requirements of this section do not apply to church spires, belfries, cupolas, domes, chimneys, grain silos, water towers, or flagpoles. The height of support structures (towers) for radio, television, other communication antennas, and wind energy turbines is regulated under chapter 17.12 General provisions.

17.76.070 Generator Restrictions

Installation of a generator as a power source is not permitted unless the generator is muffled and installed in a sound-insulated building sufficient in design to maintain compliance with noise regulations in chapter 8.04 Health and safety. Generators that are used solely for power in emergencies or power outages need not be muffled or in a sound-insulated building.

Chapter 17.84

Signs and Billboards

Sections:

17.84.010 Purpose and findings
17.84.020 Applicability
17.84.040 Comstock Historic District applicability
17.84.050 Permit & fees required
17.84.060 Permit numbering
17.84.070 Permit validity
17.84.080 General requirements
17.84.090 Comstock Historic District sign requirements
17.84.110 Exempt signs
17.84.120 Temporary signs & banners
17.84.130 Prohibited signs
17.84.140 Billboards
17.84.150 Variances
17.84 160 Violation—report
17.84.170 Complaint by state personnel
17.84.180 Nuisance declared
17.84.260 Violation—liability
17.84.270 Violation—remedies not exclusive

17.84.010 Purpose and Findings.

The purpose of these regulations is to promote the wellbeing of the community by establishing standards that assure the provision of signs adequate to meet essential communication needs while safeguarding First Amendment rights and providing for a safe, healthy, and visually attractive and appropriate environment. Within this overall framework, it is the intent of these regulations to:

A. Protect the right to the use and display of signs for the identification of activities and any related products, services, and events;
B. Protect the right of individuals to privacy and freedom from nuisances;
C. Protect the value of property and improvements thereon;
D. Permit signs that are appropriate for their surroundings;
E. Assure that signs are constructed and maintained in a safe condition;
F. Assure that signs conform to applicable county, state, and federal codes and regulations;
G. Prevent signs from interfering with traffic regulatory devices or otherwise obstructing motorists or pedestrian vision;
H. Reduce traffic hazards and eliminate obsolete signs; and
I. Provide an efficient and effective means of administration and enforcement.

17.84.020 Applicability.

This chapter does not apply to the owner or occupant of any land who may place or erect on the land or on the outbuildings thereon any sign or notice or advertisement,

where otherwise permitted by this title, intended to benefit the land or improvements thereon and advertise the business conducted in the building on the land, or advertise or identify the project in which the land is located. This chapter applies to outdoor temporary and permanent signs including, but not limited to: writing or text (including letter, word, or numeral); pictorial representations (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant), and lights and other things or combination thereof that are designed, intended, or used to advertise, attract special attention to, or otherwise inform when any part of the advertising or information content is visible from any public place within an outdoor area.

It is recognized that these standards are neither exclusive, nor exhaustive. In instances where a health or safety concern is identified with regard to any proposed sign, billboard, or advertising device, additional or more restrictive conditions may be imposed. If any part of this chapter is in conflict with regulations of any federal, state, or county agency, other political subdivision (e.g., homeowner's association) the more stringent limitation or requirement will prevail to the extent of the conflict.

17.84.040 Comstock Historic District Applicability.

In addition to the requirements set forth by this chapter, all signs located within the Comstock Historic District must comply with the regulations set forth by ~~chapter 17.48~~ **section 17.12.049** of this title and NRS Chapter 384; the regulations set forth supersede this chapter in the event of a conflict.

17.84.050 Permit and Fees Required.

Any person, firm, association or corporation personally or by agent is required to obtain a sign permit from the community development department director prior to erecting, installing, or modifying a sign or billboard.

A. No fee is required for a temporary or exempt sign or banner pursuant to sections 17.84.100 and 17.84.110.

B. The required fee for each of the following types of advertising devices is 25 dollars unless different fees are established by resolution approved by the board.

1. Permanent sign measuring 32 square-feet or less in total area.
2. Permanent sign measuring between 32 and 128 square-feet in total area.
3. Permanent sign measuring 128 square-feet or more in area. Signs of this size or larger are reclassified as billboards.
4. Directional sign regulated pursuant to subsection 17.84.080(K).
5. Directional sign regulated pursuant to subsection 17.84.080(L) when a resolution is approved by the board. The approved resolution may include initial and reoccurring fees associated with installation and maintenance of each directional sign. Subsection D applies county-wide in the absence of an approved resolution applicable hereto.

C. In addition to the required sign fee, the special use permit application fee applies to each proposed billboard.

17.84.060 Permit Numbering.

On granting a sign permit, the director will assign a permit number which must be legibly painted or printed by the owner onto the front face of each sign or billboard.

17.84.070 Permit Validity.

The permit remains valid until the sign no longer complies with the provisions set forth by this chapter or the business or attraction for which the sign represents changes physical location, no longer operates, or fails to maintain a valid Storey County Business License. All signs must be immediately removed at the time the business or attraction is no longer operating or when the sign's license or permit is no longer valid. Notice, violation, abatement, and hearing must follow the applicable provisions of this chapter.

17.84.080 General Requirements.

All signs, whether temporary or permanent, located in any regulatory zone are regulated as follows:

A. **Non-conforming sign.** Non-conforming signs and their supporting structures are regulated by the applicable provisions set forth by chapter 17.12 General provisions. When a business license is transferred to new ownership, the new business owner must bring all existing on-site and off-site advertising devices into compliance with the provisions of this chapter and NRS 384, when applicable, at the time of application for the business license. Before the new business license may be granted, the applicant must furnish proof that all signs have been removed or brought into compliance with the provisions of this chapter.

B. **Number and addition of signs**.

1. No more than ~~3~~ **4** signs permitted per business license, excluding secondary signs as defined and regulated ~~pursuant to~~ **by** subsection 17.84.090(G)(3) and window signs that are painted directly to their interior surface. **No more than 8 signs permitted per building, regardless of the number of associated business licenses.**

When the building in which a business is located abuts a public street to both its front and rear (i.e., a building that runs the full distance from "C" Street to "D" Street, excluding required setbacks), an additional sign (in addition to the allowed 4 or 8 per business license and building, respectively) may be placed directly upon the building facing the rear abutting street. The rear facing sign must conform to the design and placement regulations for other building signs.

The addition of signs to buildings and businesses that already have signs not conforming to the county code in any zone will not be permitted unless all existing on-site and off-site signs are brought into compliance with the standards set forth by this chapter and NRS 384, when applicable.

C. **Maintenance.** All signs must be maintained so that they remain free of graffiti and cracking, separation, splitting, ripping, chipping, and fading of exposed surfaces including, but not limited to, faces, lettering, and all structural supports (See examples in Figure 8.1). Signs must be maintained so that they remain safe, fully upright and level, and firmly secured to their place of attachment. Guy wires, tie-downs, and lean-to support apparatuses are prohibited unless it

can be demonstrated to the satisfaction of the director that the supports are crucial to the structural integrity of the advertising device and that design alternatives are impracticable.



Figure 8.1: The free standing signs retain their upright position with neat and professional designs. The tether at the bottom right sign prevents sign face swinging due to wind forces; this device exhibits an appropriate and attractive method of mitigating this effect. The signs are maintained appropriately in order to preserve their structural integrity and visual appearance.

D. Historic design. Signs located within the Comstock Historic District must comply with applicable provisions under this chapter, ~~chapter 17.48,~~ **section 17.12.049** and NRS 384.

E. Lighted and illuminated signs. Signs and billboards which are lighted, illuminated, or otherwise employ the use of direct or indirect lighting, lights, or other forms of illumination, must comply with applicable regulations set forth by this chapter, chapter 8.02 Dark skies, and NRS 384, when applicable. Lighted or illuminated signs located in or within 2,000 feet of the Comstock Historic District or a CR, E, or R zone must be Compact Florescent Lighting (CFL), or Light Emitting Diode (LED) type lighting. CFL and LED light emitting devices which are made to look like incandescent light "bulbs" are permitted to be plainly visible. No neon (see Section 7.84.090(H)) or blinking, flashing, chasing, or motion lighting is permitted.

F. Changeable copy or variable image signs. These types of signs are prohibited within 2,000 feet of CR, E, and R zones and the Comstock Historic District. A special use permit is required in other zones. A special use permit is not required for changeable copy or variable image signs displaying only the time and temperature when located beyond 2,000 feet of CR, E, and R zones and the Comstock Historic District.

G. Off-Site Location. Signs and billboards located off-site are only allowed where permitted by section 17.84.140 Billboards, or by the allowable provisions for a variance under chapter 17.03 Administrative provisions.

H. Murals. A special use permit is required for the application or placement of a mural. Murals proposed within the Comstock Historic District must also comply with NRS 384, this chapter, and ~~chapter 17.48 Historic Overlay District~~ **section 17.12.049**. The definition and intent of murals is provided for in Figure 8.2 below.

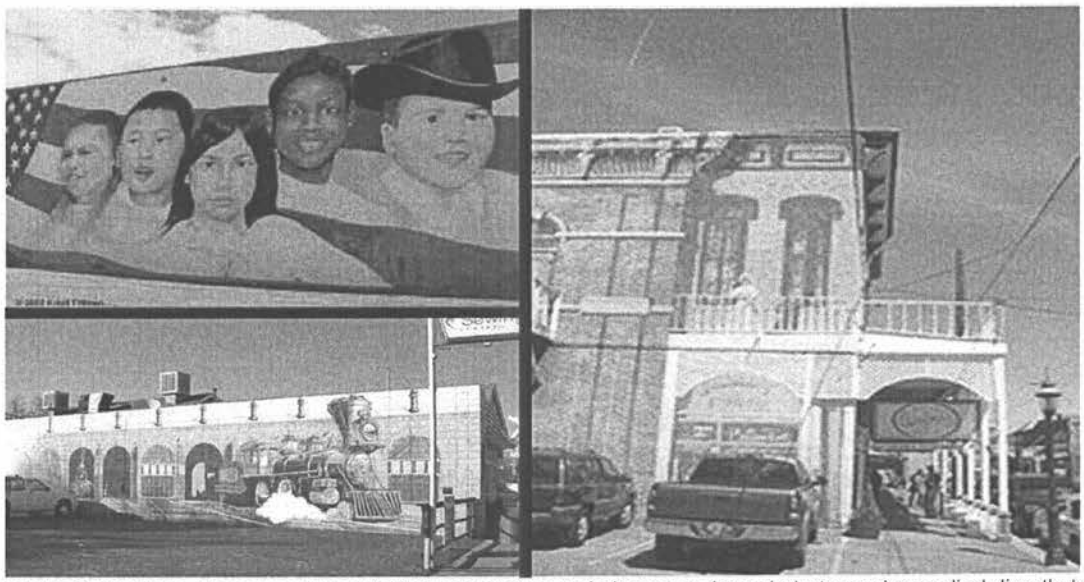


Figure 8.2: Murals are non-commercial images such as paintings or enlarged photographs applied directly to walls, ceilings, or other exterior surfaces. They are typically large in size. Murals typically exhibit few or no words and are not intended to advertise or otherwise bring attention to any attraction. Non-commercial images, such as those illustrated above, are intended to enhance the beauty, highlight the social or historical character, or otherwise depict a message or theme that is common to the immediate community in which the mural is displayed. The themes depicted above, for example, are as follows: (top left) Ely, Nevada - diversity and unity of the ever-changing mining community; (bottom left) Carson City, Nevada - celebration of the history of the Virginia and Truckee Railroad; (right) Virginia City, Nevada – painted wall intended to continue the historic storefront façade to the side of a normally unattractive stucco and brick wall.

I. Outdoor advertising adjacent to interstate/primary highways. As regulated pursuant to NRS 410.320, outdoor advertising may not be erected or maintained within 660 feet from the nearest edge of the right-of-way of the interstate and primary highway systems which is visible and placed with the purpose of having its message read from the main-traveled way of the interstate and primary highway systems, except the following:

1. Directional, warning, landmark, informational and other official signs and notices including, but not limited to, signs and notices pertaining to natural wonders, scenic, and historic attractions. Only signs which are required or authorized by law or by federal, state or Storey County authority, and which conform to national standards promulgated by the U.S. Secretary of Transportation pursuant to 23 U.S.C. § 131, are permitted;
2. Signs, displays, and devices which advertise the sale or lease of the property upon which they are located;
3. Signs, displays, and devices which advertise the activities conducted or services rendered or the goods produced or sold upon the property upon which the advertising sign, display, or device is erected;

4. Signs, displays, and devices located in zoned commercial or industrial areas, when located within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate and primary highway systems. This exemption shall not apply in the CR zone;
5. Nonconforming signs in defined hardship areas which provide directional information about goods and services in the interest of the traveling public and are approved by the Secretary of Transportation pursuant to 23 U.S.C. § 131(o) and the board.

J. Right-of-way visibility. Signs located near property lines and intersecting driveways and public right-of-ways are allowed outside of the vision clearance triangle as demonstrated in Figure 8.3. Any sign, with exception of traffic regulatory signs installed by a government agency, located within the vision clearance triangle must have a base that is higher than 8 feet above street/grade level or a total height not exceeding 2 feet above street/grade level. In instances where a safety or traffic hazard is identified with regard to these requirements, additional or more restrictive conditions may be imposed. Otherwise, setback requirements apply as follows:

1. C, CR, E, and R zones – 7 foot clearance setback;
2. All other zones – 25 foot clearance setback.

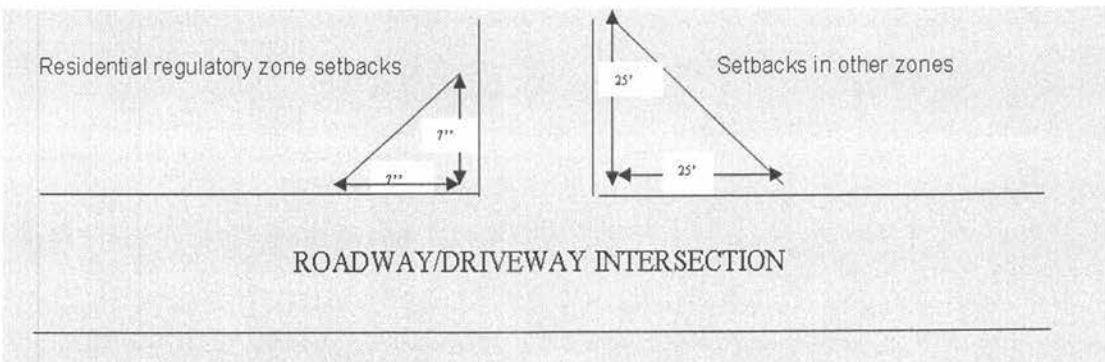


Figure 8.3: Setback requirements for devices installed within the Vision Clearance Triangle maintain clear visibility for vehicular and pedestrian traffic. In some instances more restrictive requirements may be necessary to maintain a safe travel environment. Regulations pertaining to the Vision Clearance Triangle are also found in section 17.12.050.

K. Directional signs general. Directional signs display a type of service or attraction which is located away from local arterial or collector roadways as defined in the Functional Classifications of the U.S. Department of Transportation Federal Highway Administration.

1. With exception of traffic regulatory devices installed by a government agency, directional signs may only be placed at the location where the traveler must change direction from one public right-of-way to another in order to reach the destination. The sign must display a directional element, such as an arrow, pointing to the associated attraction.
2. Directional signs located within 100 feet of CR, E, or R zones must not exceed 2 square feet in area and those located in other zones must not exceed 32 square-feet in area.

3. Directional signs are determined for approval by the director, subject to review by the board with action by the planning commission.
4. A special use permit is required for sandwich-board directional signs.
5. The director may issue a sign permit if it is determined that there is a need to guide the traveling public, to avoid confusion, or to reduce or eliminate a safety risk. The permit is subject to approval by the board with action by the planning commission.
6. If the director determines that there is no need or that a safety or traffic hazard may be created, the sign permit application may be denied. The denial may be appealed to the board pursuant to chapter 17.03 Administrative provisions.

L. Directional signs in Virginia City by resolution. It is recognized that Virginia City tourism-based businesses and attractions located away from the "C" Street corridor may benefit from centrally placed and consolidated directional signage installed in and around primary pedestrian corridors. Implementing a consolidated community-wide design for directional signage in this area may better communicate key attractions in the area and contribute to the enhancement of a pedestrian-oriented downtown environment.

1. The designated boundaries of this area and the design and placement of directional signs therein will be regulated as defined and established by resolution approved by the board with action by the planning commission.
2. The boundaries applicable to this section include Gold Hill and Virginia City.
3. The regulations established by section 17.84.080(K) apply in the absence of an approved resolution and completed consolidated directional sign devices associated therewith.
4. Approval of the resolution and completion of all consolidated directional sign devices may as provided for in the resolution to nullify the regulations under section 17.84.080(K) within the established geographic boundaries thereof.
5. Directional signs existing within the established boundaries under resolution are considered non-conforming and must be removed within 12 months of completion of all consolidated directional sign devices.

M. In addition to the regulations of this chapter, signs located in C (not including CR), E, or R zones are limited to the following:

1. All home occupations are subject to a special use permit, and no sign larger than 2 square feet in connection is allowed therewith.
2. Signs are limited to the place of business.
3. Only 1 sign is allowed except for an opposing face of exactly the same color, shape, size, and configuration applied thereto in order to convey its message to opposing pedestrian or vehicular traffic.
4. No billboards, bulletin boards, blackboards, whiteboards, or banners are permitted, except for on-site exempt signs and banners pursuant to section 17.84.100.
5. A variance is required for any lighting or illumination of signs. No neon, blinking, flashing, chasing, or lighting which is otherwise in motion, reader boards and variable image displays, including those which display time and date, or translucent lighted signs are permitted.

N. Signs located in A, F, I, P, and SPR zones, and where allowable by the applicable provisions of this chapter, are limited to the following sizes and measurements:

1. Signs located in the F zone may not exceed 32 square-feet in size and 6 feet above grade level.
2. Sign faces which are 32 square-feet or less in total area may not exceed 6 feet above grade level.
3. Sign faces between 32 square-feet and 128 square feet in total area may not exceed 10 feet in total height with a base no higher than 2 feet above grade level.
4. Sign faces from 128 square-feet but less than 288 square feet in total area are limited to 18 feet in total height with a base no higher than 2 feet above grade level. A special use permit is required.
5. A special use permit is required for sign faces at or exceeding 288 square-feet in total area.

17.84.090 Comstock Historic District Sign Requirements.

Visible materials for signs and supporting structures within the Comstock Historic District must be or appear to be of substance that can be shown to have existed for advertising purposes up to and including the year 1942, and must be appropriate in design for that time period. A Certificate of Historical Appropriateness from the Comstock Historic District Commission must be submitted to the director prior to approval of any sign within the Comstock Historic District. The following standards apply exclusively to all signs located on buildings as established pursuant to the terms of NRS 384. Location, size, and number of signs in C and CR zones are as follows:

A. Signs are not permitted on sides or rear of buildings unless there is direct public access from an abutting legal public right-of-way. If such public access exists, signs must conform to regulations for building fronts.

B. Signs are not permitted to extend from buildings or from porches over streets with any overhang over streets, curbs, or shoulders.

C. Signs are not permitted on porch posts or other porch-supporting apparatus unless the signs are traffic or informational signs installed by a government agency.

D. Signs are not permitted when installed on a building where any window, door, or opening has been altered, blocked, or removed for the purpose of installing or displaying the sign, with exception of an advertisement or other display which is painted or otherwise applied directly to the interior surface of a window pane.

E. Signs placed upon buildings and porches are regulated as follows:

1. Signs above ground floor windows must comply with the following limitations:

a. ~~Only 1~~ **One** sign permitted between floors;

b. Signs ~~must~~ **may** have a maximum dimension of 15 inches in ~~width~~ **height** times the length of the building when installed on the face of a porch. Signs may be 36 inches in ~~width~~ **height** times the length of the building when installed on the face of the building.

c. Signs must be of rectangular shape. Signs may be placed either on the building face or the face of the porch;
d. Any number of business activities may be advertised on a sign;
e. The base of a sign must be at least 8 feet above sidewalk/boardwalk.

2. Signs between ground floor windows and doors are regulated as follows:
   a. Signs may be of any shape;
   b. The cumulative area of all signs must not exceed 5 square feet per business license.
3. Building titles, names, dates, and other messages, including advertisements that were painted directly to the exterior walls, parapet walls, and between the windows of the upper floors of the building at or prior to the year 1942 may be reapplied ~~thereto~~ exactly as they existed at that time. Photographic proof of messages existing at that time must be submitted to the director with a Certificate of Historical Appropriateness from the Comstock Historic District Commission before the sign may be applied. These applications do not count toward the maximum allowed signs per business license.

F. Signs on ends of porches are prohibited.

G. Signs perpendicular to building face on building with or without porches are regulated as follows:
1. Maximum size of 12 inches times the width of sidewalk, or equivalent in square feet;
2. Minimum height of lower edge of sign must be no lower than 8 feet above sidewalk or boardwalk;
3. A secondary sign which is securely attached to or suspended from the base of a primary hanging sign (together known as a double-hanging sign) is allowed when the secondary sign is equal in length to the primary sign and is no more than 6 inches in total in width as illustrated in Figure 9.2 below. The space between the primary and secondary sign may not exceed 2 inches. Secondary signs as defined in this chapter are considered part of the primary sign and do not count toward maximum allowed signs per business license. Only 1 secondary sign for each primary sign applicable to this subsection **is** permitted.
4. One sign is allowed for every 25 feet of sidewalk or boardwalk.

H. Neon signs. Neon signs are prohibited outside of buildings or within windows or openings visible from a public place. This limitation includes lighted signs that appear similar to neon signs, such as those which employ light emitting diodes (LED) that are configured so that they appear as continuous streams of light. (See examples in Figure 9.1.)

I. No more than 3 signs per business license are allowed, excluding secondary signs as defined by this chapter and described above and window signs in accordance with subsection D.



Figure 9.1: The top two light emitting diode (LED) signs appear similar in character to the bottom neon sign.

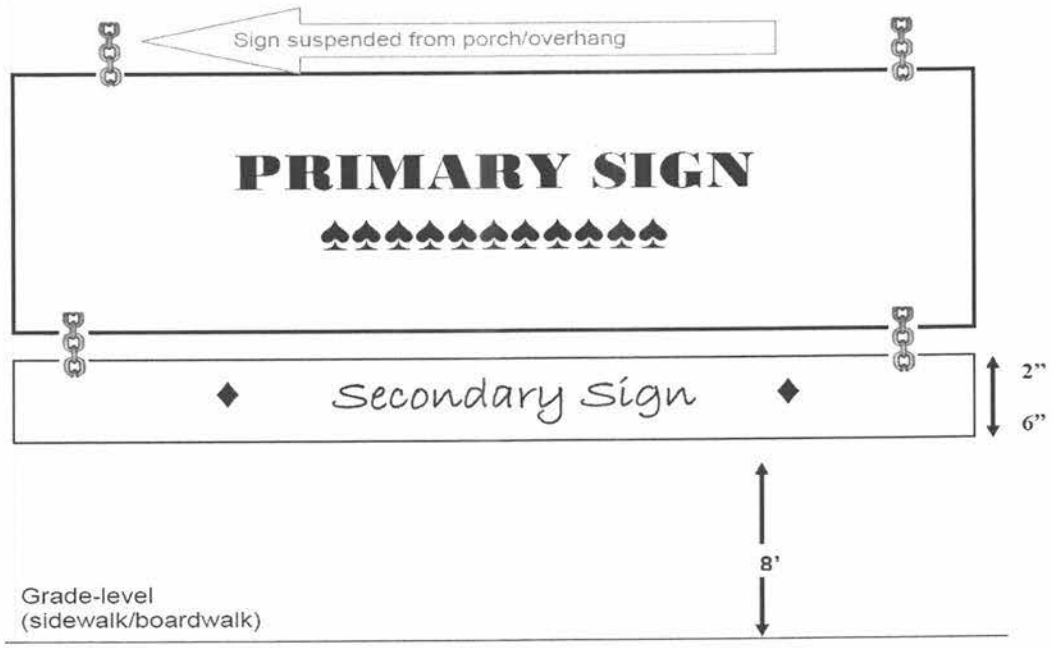


Figure 9.2: The above diagram illustrates the manner in which two signs may be suspended over the sidewalk or boardwalk within the Comstock Historic District. All signs must be secured taut.

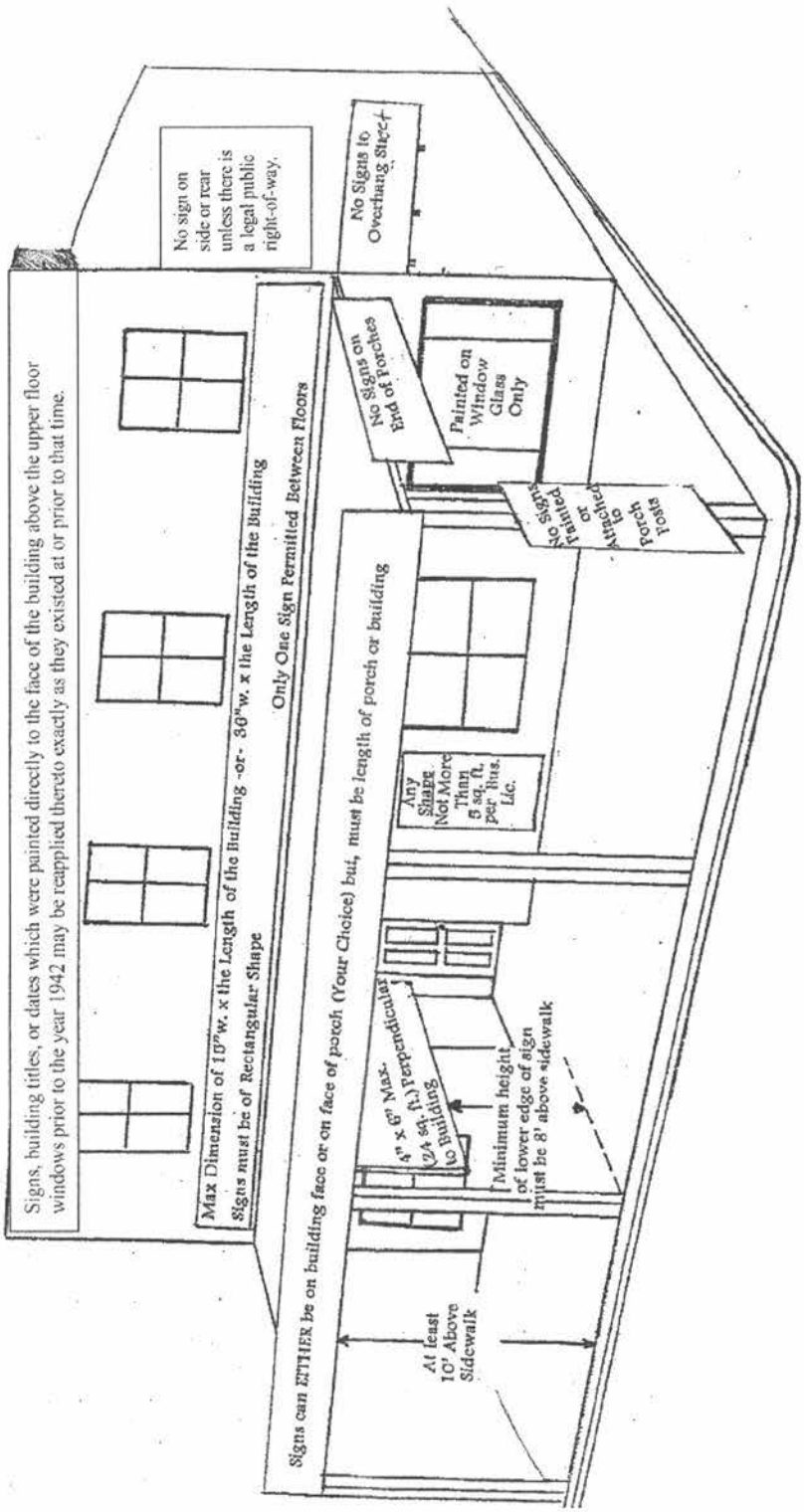


Figure 9.3: The diagram below illustrates requirements for signs placed upon the exterior of buildings located within the Comstock Historic District.

17.84.110 Exempt Signs.



The following signs and devices are exempt from the provision of this chapter and required sign fees. The regulations under chapter 17.12 General provisions apply to exempt signs. Exempt signs do not count toward the maximum allowed signs per business license. All signs located within the Comstock Historic District must comply with the regulations under this chapter and NRS 384. The provisions set forth supersede this section in the event of a conflict. Any display or types of signs not listed in this section and not in conflict with the provisions of this chapter are subject to approval of the director.

A. Two signs with a maximum area of 32 square-feet each, located within an A zone, used only to advertise the agricultural products produced or sold on the premises or identifying the premises or its occupants.

B. Customary holiday decorations and signs in the nature of decorations which are seasonal, clearly incidental, and customarily associated with any national, local, or religious holiday and removed within 30 days of the official recognized date of the associated holiday.

C. Religious symbols located on a building or otherwise on-site which are used for organized religious worship and related services.

D. Scoreboards related to and located within established athletic fields and arenas.

E. Commercial and non-commercial advertisement and sponsor signs which are attached to the interior portion of fencing which surrounds a designated athletic field or arena. Signs must not be plainly visible from any public place outside of the premises.

F. "Vacancy," "no vacancy," "open," "closed," "yes," "no," "full," "sorry," and similar type signs associated with commercial uses provided that the area of the sign does not exceed 2.5 square feet in area.

G. Motor vehicle for-sale signs provided that:

1. The message of each sign is directly related to the sale of the motor vehicle on or in which it is located;
2. There are no more than 3 signs per vehicle, including posters, stickers, and other advertising devices allowed by this chapter;
3. The sign is attached to or located within the vehicle. Stickers may be placed directly onto the exterior surfaces of the vehicle or its windows;
4. The sign or combination thereof does not exceed 3 square-feet in total area;
5. The vehicle is located in either an approved sales lot or on private property with the owner's consent; and
6. The sale of the vehicle or vehicles and location and placement thereof is not in violation of any federal, state, or county regulations.

H. Advertising on vending machines, such as that shown in the illustration to the right, which depicts the product contained therein.

I. The official flag of a government, governmental agency, nation, public institution, religious corporation or similar entity, or flags flown on a temporary basis for the purpose of honoring declared national or civic holidays.

J. House and property addresses, familial name signs, and devices that are similar in nature and clearly do not facilitate the purpose of advertising a commercial or non-commercial business, service, or attraction.

K. Traffic and pedestrian control and information signs which are installed by a government agency.

L. Traffic and pedestrian control and information signs which are installed by a private property owner in A, C, and I zones when the sign is located on the property at which the associated business, service, or attraction is located. The signs are limited to 15 square-feet in total area and shall not conflict with a vision clearance triangle as regulated by subsection 17.84.080(J).

M. Temporary or permanent signs erected to warn of danger or hazardous conditions so long as the hazards may exist, including signs indicating the presence of underground cables, gas lines, and other potentially dangerous conditions.

N. Political signs and posters not exceeding 2 square feet in the CR, E, or R zones and 32 square feet in all other zones. Signs may not be displayed before 60 days of the primary election or caucus or for more than 30 days following the election. Unsuccessful primary candidates must remove, or cause to be removed, their signs or posters no later than 10 days after the primary election. Political signs may not be affixed or placed on the public domain. The public domain placement restriction does not apply to political signs placed on the county-owned property located at the north and south intersections of "B" and "C" Streets in Virginia City as shown in Appendices A and B. The sign owner is responsible for knowing or contacting the community development department about the location of the abutting state right-of-way and for complying with state regulations therein. The county is not responsible for state right-of-way non-compliance or penalties imposed against the sign owner for violation of those regulations.

O. Real estate for-sale and open-house signs not exceeding 5 square-feet in CR, E, R, and SPR zones and 32 square-feet in all other zones. Signs must be removed within 14 days following the sale of the property for which the sign represents. Commercial advertisement signs indicating the presence or existence of a real estate office, business, or service are not considered real estate for-sale signs and are not exempt signs pursuant to this section.

P. Yard, rummage, and garage sale signs not exceeding 6 square-feet in area that are removed within 12 hours after the sale and not displayed in public view before 12 hours of the sale and are in public view for no more than 2 consecutive or non-consecutive days within a 12 month period.

Q. On-site temporary signs and banners displaying a non-commercial message related to household or familial celebrations (e.g., "birthday," "newborn baby," "anniversary," "welcome back," etc.).

R. "No trespassing," "no hunting," "no fishing," "no loitering," and like signs not exceeding 2 square-feet in C, CR, E, and R zones and 16 square-feet in all other zones.

S. Signs such as building contractor signs not exceeding 4 square-feet in total area within C, CR, E, and R zones and 32 square-feet in total area in all other zones

and which are placed upon the property at which the associated project is located. These signs must be removed within 14 days after the associated project has been completed.

T. Commemorative or historical non-advertisement plaques and tablets installed by a government or non-profit entity.

U. One on-site barber pole of traditional design (i.e., red, white, and/or blue rotating swirl absent of text), such as that illustrated to the right, not exceeding 12 inches in width and 48 inches in length and directly attached to the associated building in which the barber service is provided. The device may rotate during the hours that the associated barber is open for business. Lighting placed on or within the device is permitted when in accordance with the applicable provisions of this chapter and chapter 8.02 Dark skies.



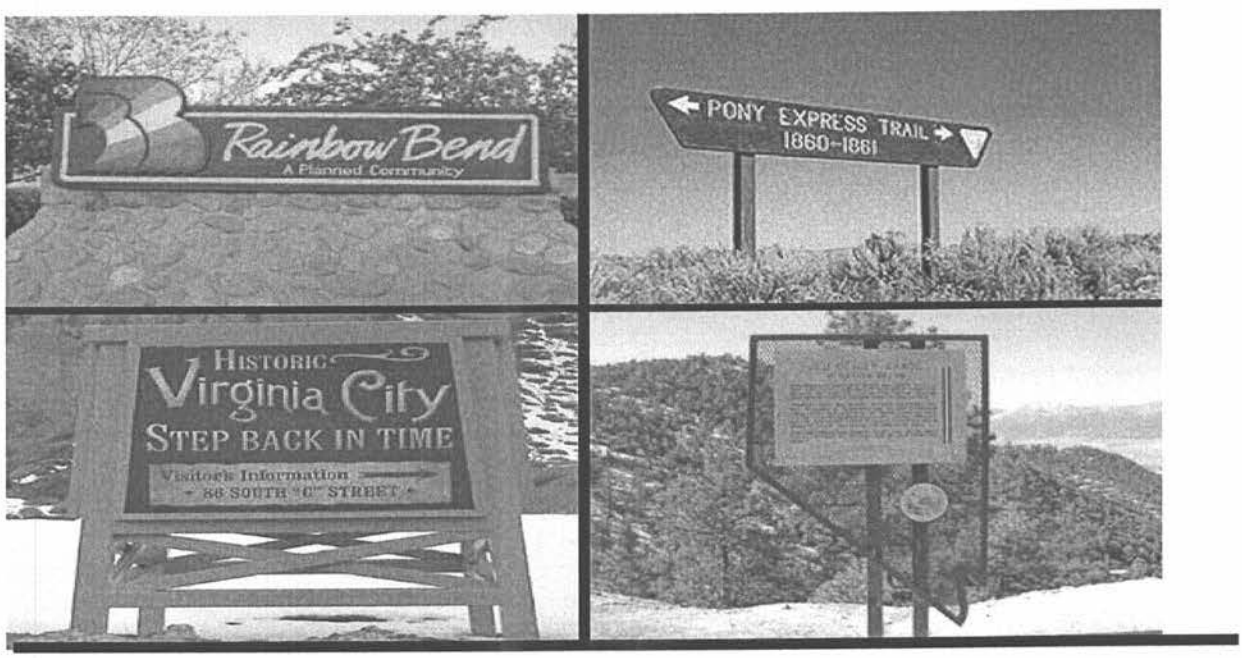
V. Displays of string lights outside of a seasonal and/or customary nature, local, or religious holiday, provided that:

1. They are not placed on the public domain;
2. They are decorative displays which only outline or highlight landscaping or architectural features of a building;
3. They are steady burning, clear/white, and do not blink, flash, or exhibit intermittent changes in intensity, animation, or rotating characteristics;
4. They comply with the regulations of chapter 8.02 Dark skies;
5. They are no greater in intensity than 5 watts for each bulb, or equivalent to the lumen intensity produced by a 5 watt incandescent bulb (approximately 73 lumens);
6. They are not placed on or used to outline any type of sign, billboard, or advertising device or their support structures unless otherwise allowed by the provisions of this chapter and chapter 8.02 Dark skies;
7. They are not assembled or arranged to convey messages, words, commercial advertisements, slogans, and/or logos;
8. They are commercial grade UL Listed for long-term outdoor use and do not otherwise create a safety hazard with respect to placement and connection to power supply as determined by applicable codes and regulations. The power supply must be a dedicated weather-protected and GFCI protected receptacle. The use of extension cords shall not be permitted;
9. They are maintained and repaired so that no individual light bulb is inoperative for more than a period of 30 consecutive days. In the event that the bulbs are not maintained or repaired for a period exceeding 30 days, the string lights must be removed.

W. Points of entry and public interest signs. In addition to the regulations of this chapter, non-commercial point of entry and public interest signs (See examples in Figure 10.1.) that are owned, leased, or otherwise managed by any federal, state, or county agency, or a political subdivision thereof (e.g., homeowner's association or general improvement district), are permitted provided that they comply with the regulations below and the provisions under sections 17.84.040, 17.84.050, 17.84.060, and 17.84.080. Changeable copy and variable image

signs are prohibited. Point of entry signs installed at the entrance(s) of a planned unit development or subdivision; multi-family dwelling complex; industrial, shopping, or other commercial center; education facility or campus; or other building complex are permitted when they are managed and maintained by a federal, state, or county agency, or a political subdivision thereof, or the management of the property. All signs under this subsection are subject to approval of the director and comply with the following regulations:

1. The sign must conform to the purpose and intent of this chapter and NRS 384, where applicable;
2. The owner or political subdivision is responsible for sign placement, maintenance, and compliance with all applicable regulations;
3. Encroachment permits must be obtained, where applicable;
4. The sign must have proper access and maintenance easements;
5. No more than 1 sign may be erected at any given location, with exception of 1 similar sign that may be placed at both sides of a point of entry. The maximum sign face area, excluding supporting structures, may not exceed 32 square-feet;
6. The sign and all parts thereof must be non-commercial and relate directly to the point of entry or public interest.



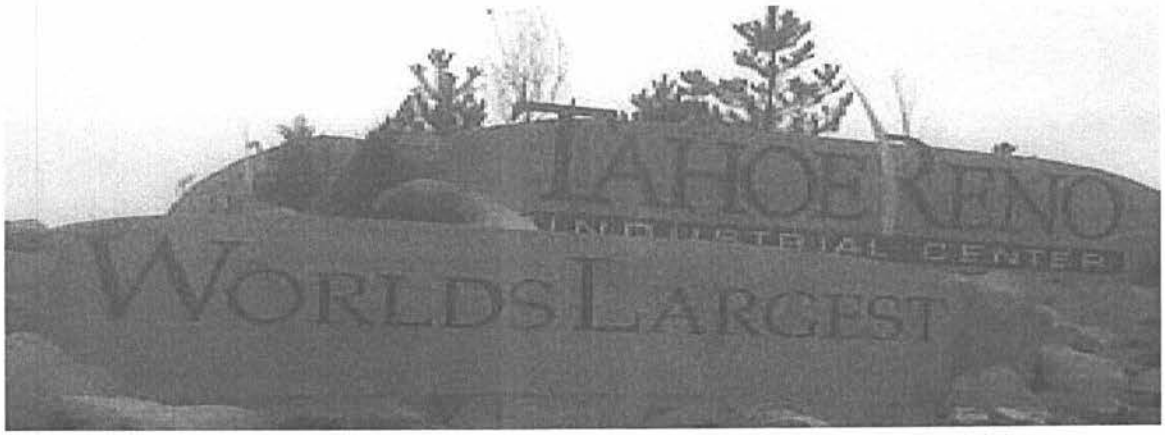


Figure 10.1: The point of entry signs (left and bottom) and place of interest sign (top right) are owned and managed by public entities and their message is non-commercial. The message in each devise relates directly to the point of entry or public interest for the viewer.

17.84.110 Temporary Signs and Banners.

Any sign or banner, except those listed in sections 17.84.100 and 17.84.120 displayed for a period of time not exceeding 30 consecutive or non-consecutive days in a 12 month period of time is considered a temporary sign or banner.

A. The following are considered temporary signs:

1. Banners, posters, pennants, sandwich-board signs; fliers; blackboards and whiteboards; signs attached to temporary structures directly associated with operating special events, fairs, carnivals, and concessions; and devices which are supported, worn, or otherwise displayed on and by human or animal subjects (otherwise known as "human signs").

B. The following are not considered a temporary signs or banners:

1. Tethered balloons, streamers, inflatable devices, and similar devices.
2. Any sign which is in any way attached, painted to, or otherwise attached to a vehicle, trailer, or other mobile device, as defined in section 17.84.120(C).

C. In addition to all other applicable provisions of this chapter, all temporary signs and banners must comply with the following regulations:

1. They must be professionally painted or printed. Those which become tattered, torn, or otherwise fall into disrepair must be immediately removed or replaced with a similar size and type sign.
2. They may not exceed 12 square-feet in total area, with exception of banners which may not exceed the allowable limitations set forth by subsection (D);

D. Banners that are mounted to a wall or canopy must be secured taut and not placed over any permanent sign. A temporary banner mounted in such a manner that it becomes suspended between two points (e.g., between buildings, poles, trees, etc.) must comply with the following regulations:

1. They may not exceed 2 feet in height;
2. They may not be closer than 5 feet to the objects from which it is suspended, and;
3. They must be mounted no less than 18 feet over a public right-of-way.

E. No more than 1 banner may be attached to any two points.
F. Any banner which is suspended over a right-of-way is subject to approval of the director.
G. A second sign or banner of exactly the same color, shape, size, and configuration may be applied to the opposite side of the sign in order to convey its message to opposing pedestrian or vehicular traffic.
H. Temporary signs and banners may not be publically displayed more than 30 consecutive or non-consecutive days in a 12 month period.
I. Sandwich-board directional signs may be displayed for extended periods with a special use permit. These directional signs must comply with the regulations under subsections 17.84.080(K) and 17.84.080(L). The time in each twenty-four hour period that the directional sandwich board sign must be removed and not displayed must be stipulated in the approved special use permit. No sign may be placed on the public domain.
J. No more than 4 temporary signs or banners may be displayed for any 1 household, business, firm, or non-governmental entity within a 12 month period.
K. Only 1 temporary sign or banner may be displayed at any given time. In a multi-tenant shopping center, two temporary signs or banners may be displayed.

17.84.120 Prohibited Signs.

The following signs and advertising devices are prohibited in any zone:

A. Within, attached to, or hanging over a public right-of-way or on the public domain, with exception of permitted signs regulated pursuant to sections 17.84.090, 17.84.100, and temporary banners.
B. Located on private property without the expressed permission of the property owner.
C. Mobile signs that are affixed to a frame or chassis having wheels and capable of being carried, or otherwise portable and designed to stand free from a building or other structure and fulfill the purpose of advertising. Mere removal of wheels or temporary securing of the mobile sign to the surface of real estate does not classify it as a free-standing sign. Ordinary identification of a business or service on an associated utility vehicle (e.g., construction contractor's vehicle or equipment such as those illustrated in Figure 20.1 below) is not considered a mobile sign and is thus exempt from the restrictions of this subsection. When uncertainty exists regarding the provisions of this subsection, the advertising device will be subject to the review and approval of the board with action by the planning commission.



Figure 20.1: The images shown on the top two vehicles (allowable) contrast with those below (prohibited) in that they clearly relate to the service provided in association with the vehicle. The bottom vehicles depicted are examples of mobile signs which facilitate off-site advertising.

D. Inflatable signs, including those which are made of Mylar, vinyl, plastic, rubber, or any other material which is supported by gasses contained therewith, or its parts, at pressure which is equal to or greater than the surrounding natural atmospheric pressure.
E. Paper signs and fliers displayed on the exterior of buildings, trees, and other structures lasting more than 12 hours in a one year period.
F. Bulletin boards, including blackboards and whiteboards, where other signs of similar size or structure are prohibited.
G. Portraying sexual, sexually-related, or other "adult" material in a provocative or otherwise obscene manner within or in view of a public place.
H. Located in such a place that they negatively impact visual corridors and view sheds from public places, or obscure a view of the road, or other vehicular and pedestrian right-of-ways ahead, or curves, grades, or interstate highways or railways. The integrity of location, setting, feeling, and association of properties to their surrounding environment and view sheds (The Comstock Historic District and natural and largely undisturbed environment surrounding many rural properties county-wide are considered sensitive for the purposes herein and should be protected against visual impacts caused by signs and billboards).
I. Emit noise, flames, smoke, steam, or other matter.
J. Employ movement including, but not limited to, pennants, flags of non-national origin, banners, streamers, balloons, disks, searchlights, and lasers.
K. Employ direct, indirect, internal flashing, or other illumination with light source or reflectivity of such brightness that it constitutes a hazard to ground or air traffic or a nuisance as determined by the Designee or any federal or Nevada State agency.
L. Obstruct or impair the display of any permanent regulatory or advisory traffic sign or parking sign or traffic signal.
M. Obstruct, obscure, or impair the safe passage of pedestrians, cyclists, or persons with disabilities.
N. Placed on the roof of buildings unless a special use permit is granted.

O. Painted or attached to trees, fences, utility poles, rocks when located in their current natural place or state, or similar natural and man-made structures and objects.

P. Installed on a building such that any window, door, or opening will be altered, blocked, or removed for the purpose of installing or displaying the sign. An advertisement or other display which is painted directly onto the interior surface of a window is permitted.

Q. Placed on a wall of a building exceeding an area equal to 25 percent of the wall area. (See figure 20.2 below.)

R. Placed on a wall so as to extend beyond the outer edge of any wall of the building on which it is located. (The sign must remain entirely within the visual profile of the building. See figure 20.2 below).

S. Placed more than 6 inches and less than 10 feet parallel to the face of any building or structure to which it is attached. (See figure 20.2 below.)

T. Attached or placed adjacent to any utility pole, traffic sign post, traffic signal, historical marker or any other official traffic control device.

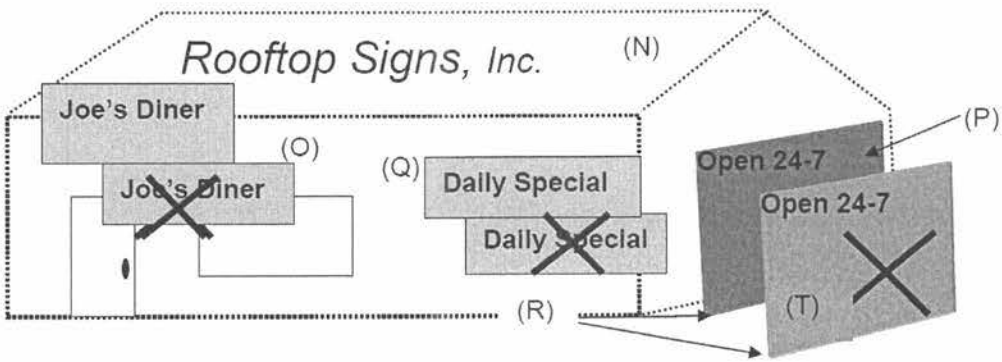


Figure 20.2: The mark "X" in the above diagram demonstrates a sign that is out of compliance with one or more provisions of this section. Signs absent of said mark indicate compliance with the applicable regulations as follows: (O) sign covers or otherwise alters a door, window, or opening; (Q) sign extends beyond the outer edge of the wall of the building; (R) sign is more than 6 inches and less than 6 feet from the building wall; (P) sign exceeds 25 percent of the wall; (N) sign is painted directly onto the roof unless a special use permit is granted.

17.84.140 Billboards.

Any sign face measuring 128 square feet or more in total area is classified as a billboard and must comply with federal, state, and county regulations, including this section and section 17.84.080.

A. Special use permit required. The regulations of this section and title are considered the minimum requirements for billboards. A special use permit is required before erecting or displaying a billboard. The special use permit may impose conditions as deemed appropriate by the board with action by the planning commission.

B. Other permits & requirements. No billboard or its supporting devices may be erected until plans developed by a licensed engineer for the proposed project have been reviewed by the fire and community development departments and a

building permit has been issued. A building permit may not be issued until the special use permit has been granted and all requirements of the county have been satisfied. The issuance of a building permit or any other authorizations prior to approval of the special use permit must not be construed as an approval to commence construction of a billboard.

C. Transfer of entitlement. The owner(s) of a billboard may not sell, transfer, ground lease, or assign a billboard or property on which a billboard is located in whole or in part to any person, partnership, joint venture, firm, company, or corporation without a minimum of 90 days notification to the director prior to closing.

D. Best management practices. Preparation and construction within a billboard site including, but not limited to, the development, operation, and reclamation of all roads, access corridors, foundation pads, equipment storage and staging areas, and all related facilities must conform to grading and slope stability requirements, fire codes, and all Nevada Division of Environmental Protection (NDEP) best management practices.

E. Distances limitations. No billboard may be permitted or otherwise erected or displayed:

1. Less than 660 feet from federal aid right-of-ways and primary highway systems (e.g., Interstate 80).
2. Within 2,000 feet of:
   a. Roadway intersections and interchanges, interstate highway rest areas, or on any public right-of-way where there will be a line-of-sight obstruction to a roadway corner, bend, interchange, or intersection, including vehicular, pedestrian, or railroad crossing;
   b. Another billboard;
   c. Any public or private school, church, hospital, health care facility, residential care facility, public park, or government office building;
   d. Any CR, E, P, or R zone, the Comstock Historic District, and within 1,000 feet of the following public right-of-ways: Six Mile Canyon Road, Seven Mile Canyon Road, State Route 341, and State Route 342 for billboards exceeding 128 square feet. Billboards measuring 128 square feet or less which are owned and managed by the county or an entity thereof may be allowed with a special use permit adjacent to State Route 341 and 342 in the Comstock Historic District when they are located in a C, CR, I, or P zone and no closer than 200 feet of any occupied structure, unless the owner of that structure provides written consent to the county.
3. Within 200 feet of any occupied structure.
4. With more than 1 display face, with exception of a second billboard face of the exact same shape, size, and configuration which is applied to the billboard's opposite side as to convey the device's message to opposing pedestrian and/or vehicular traffic, and not more than 20 inches apart.
5. When 1 or more signs or billboards already exist on the wall of a building.

F. Support structures. Structures supporting billboards must conform to the local building code and be unobtrusive and recessive in their appearance. -Billboards must be supported by a single monopole structure unless they are painted

directly onto a permitted building, wall, or other permitted structure not specifically intended to support the billboard.

G. Billboard support structures must be coated with a non-reflective beige or gray-colored finish. Other colors and finishes may be permitted or required as part of the special use permit.

H. Lighting. All direct and indirect lighting of a billboard must conform to the regulations under section 17.84.080(E) and chapter 8.02 Dark skies. If any proposed billboard will employ use or display of variable images or changeable copies, will be placed within 2,000 feet of any traffic signals or traffic signs, or will be located within a road boundary, the billboard owner must provide the county a traffic engineering report created by a licensed traffic engineer. The report must confirm that the advertising devise and its placement will be safe for vehicular and pedestrian traffic. The report must consider all factors relevant to traffic safety including applicable criteria contained in this title. The report will be completed at the cost of the applicant. The county may require an independent review of the report by a qualified person at the expense of the applicant.

I. Facility closure. Any billboard not meeting the standards of this this chapter and the applicable federal, state, and county regulations will be considered closed. The process of removing the billboard and its supporting structures and reclaiming the site to the condition existing prior to its development must commence immediately and must be completed within 180 days of closure. Further specifications pertaining to site reclamation will be determined by the conditions of the special use permit.

J. Reclamation extension. If necessary, such as during times of Force Majeure, a request for a reasonable extension of the completion of removal and reclamation may be submitted to the director for approval. The application for extension must include all applicable documentation necessary to demonstrate that final removal and reclamation will take longer than the time allowed under the provisions of this chapter and that reasonable steps have been taken by the owner to conform to the requirements set forth by this chapter.

K. Reclamation surety bond. A surety bond must be posted by the applicant of any billboard of or exceeding 288 square feet in area. The surety bond assures that a closed billboard and the land in which it is located is restored to a condition existing prior to installation of the billboard. The surety bond must be posted prior to disturbance of the land. The amount of the surety bond necessary to remove the structure and reclaim the land will be determined by a qualified licensed engineer or environmental manager at the expanse of the applicant and will be subject to third-party review as determined appropriate by the county. Additionally, the following requirements will apply:

1. The applicant must submit to the director proof that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited to ensure completion of reclamation work that is consistent with the requirements for reclamation under the special use permit, including estimated costs associated with removal of each billboard and all associated

equipment and accessory structures and restoration of the site to a natural state.

2. The surety bond will be released after the county has determined that the land has been returned to a state existing prior the facility's existence.
3. The required certification must include all applicable documentation necessary for certification of closure.
4. Before the bond is released, the county will reserve the right to retain the service of an independent, qualified person, at the expense of the permit holder to verify that final reclamation has been completed in a manner which is determined by the director to be satisfactory.

L. Liability insurance and indemnification. The permit holder and his or her assigns, heirs, or successors:

1. Must provide proof of liability insurance to the county and maintain satisfactory insurance for all aspects of the facility in the amount of at least one million dollars ($1,000,000). The county may require additional liability insurance coverage as needed. "Storey County" must be named as the "additional insured".
2. Must agree to the extent not prohibited by law, to indemnify, defend, and hold harmless Storey County from any costs, damages, claims, causes for action, penalties, fines, liabilities, and judgments of any kind or nature to the extent such liability arises from or in connection with the permit holder's and operator's negligent use, operation, management, or maintenance of the premises.

17.84.150 Variances.

A. Applications for a variance may be made pursuant to this chapter and chapter 17.03 Administrative provisions, and may be allowed where, in the opinion of the board with action by the planning commission, the same is necessary and is not in violation of the letter and spirit of the standards set forth in this title.

B. A variance may not be granted where a violation of the provisions set forth by NRS 384 or any provision of this chapter applicable to the Comstock Historic District would take place.

C. Variances may include application for signs installed off-site where it can be shown that failure to allow such signs will work a hardship on the respective business or attraction, and is necessary to the conduct thereof.

17.84.160 Violation Report.

All sheriff, public works, fire, community development, and community services department employees must report any violation of this chapter to the director.

17.84.170 Complaint by State Personnel.

Should the State Highway Engineer file a complaint with Storey County showing that any sign erected is a hazard to traffic, the director must immediately order the removal of the sign.

17.84.180 Nuisance Declared.

All signs not in compliance with the provisions of this chapter are declared to be nuisances and detrimental to the health, safety, economics, and general welfare of the people of this county and may be abated under the provisions of section 17.03.045.

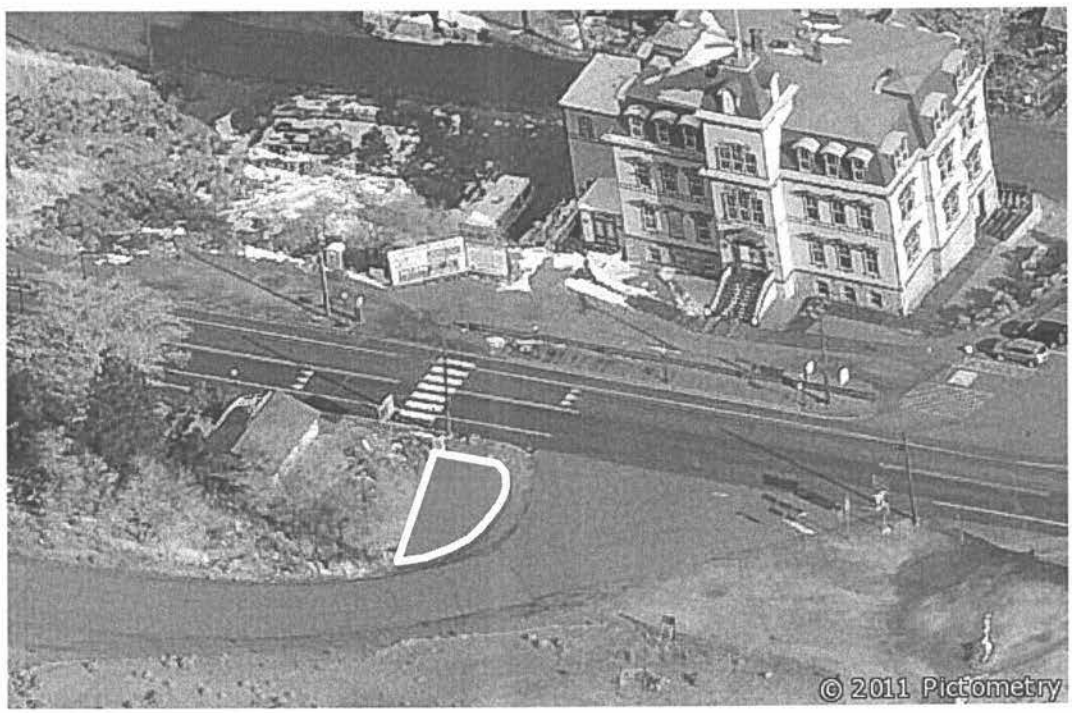
17.84.260 Violation Liability.

Any person who violates any provision of this chapter is liable to Storey County for any expense, loss or damage incurred by Storey County by reason of the violation.

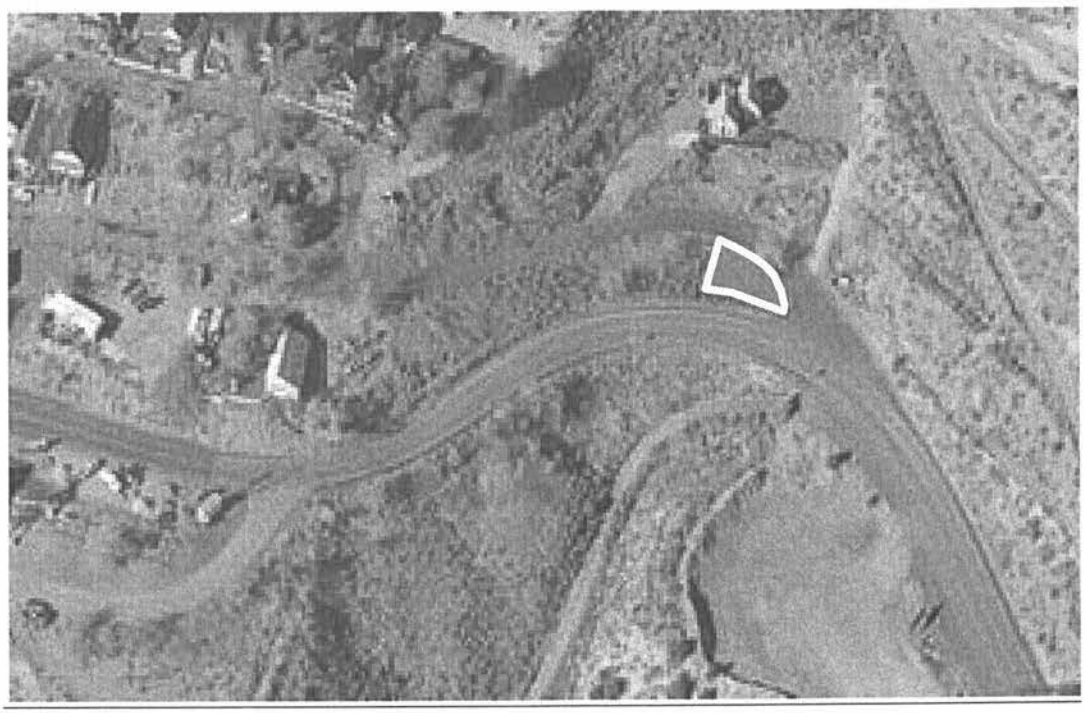
17.84.270 Violation Remedies Not Exclusive.

Nothing in this chapter may be construed to limit or prohibit the prosecution of the owner(s), or others, for a violation of this chapter by criminal complaint or by a civil action provided for by law.

Appendix A: Political sign county public domain exemption (south location).



Appendix B: Political sign county public domain exemption (north location).



Proposed on _____, 2015.

by Commissioner _____

Passed on _____, 2015.

Vote: Ayes Commissioners

_____

_____

_____

Nays Commissioners _____

_____

Absent Commissioners _____

_____

Marshall McBride, Chair

Storey County Board of County Commissioners

Attest:

_____
Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____.

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 09/01/15 **Estimate of time required:** 15 min.

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

---

1. **Title:** Discussion/Possible Action: Special Use Permit 2015-027, by Ronald Jensen. The Applicant requests a boundary line adjustment between the two properties located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

2. **Recommended motion: (Recommended motion for approval)** In accordance with the recommendation by Staff and the Planning Commission, the Findings under section 5.1 of the Staff Report, and in compliance with all Conditions of Approval, I [County Commissioner] hereby recommend approval with conditions for the Boundary Line Adjustment Application Number 2015-027 for a Boundary Line Adjustment between the properties located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

3. **Prepared by:** Jason VanHavel

   Department: Planning **Telephone:** 847-1144

4. **Staff summary:** See enclosed Staff Report No. 2015-027.

5. **Supporting materials:** Staff Report No. 2015-027.

6. **Fiscal impact:** None on local government.

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   ____ Department Head Department Name:

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No. 18

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 09/01/15 **Estimate of time required:** 15 min.

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

---

1. **Title:** Discussion/Possible Action: Special Use Permit 2015-027, by Ronald Jensen. The Applicant requests a boundary line adjustment between the two properties located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

2. **Recommended motion: (Recommended motion for approval)** In accordance with the recommendation by Staff and the Planning Commission, the Findings under section 5.1 of the Staff Report, and in compliance with all Conditions of Approval, I [County Commissioner] hereby recommend approval with conditions for the Boundary Line Adjustment Application Number 2015-027 for a Boundary Line Adjustment between the properties located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

3. **Prepared by:** Jason VanHavel

   Department: Planning **Telephone:** 847-1144

4. **Staff summary:** See enclosed Staff Report No. 2015-027.

5. **Supporting materials:** Staff Report No. 2015-027.

6. **Fiscal impact:** None on local government.

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

   ____ District Attorney

8. **Reviewed by:**

   ____ Department Head Department Name:

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No.

STOREY COUNTY
PLANNING DEPARTMENT
Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440 Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org

To:	Storey County Commission
From:	Storey County Planning Department
Meeting Date:	September 1, 2015
Meeting Location:	Virginia City Courthouse, 26 South B Street, Virginia City, NV 89440
Case Number:	2015-027
Applicant:	Ronald Jensen
Property Owners:	Ronald A. and Carolyn L. Jensen and Thomas and Erin Rahme
Staff Contact:	Jason VanHavel, Storey County Planner
Figures:	Figure 1: Area Map; Figure 2: Proposed New Parcel Map; Figures 3: Layout for 003-052-46 after Boundary Line Adjustment; Figures 4: Land Use Compatibility
Appendix:	Appendix 1: Nevada Revised Statues 278.475 - 278.477; Appendix 2: Statement in Application on Purpose for Boundary Line Adjustment
Guiding Documents:	Storey County Code Section 17.40 Estate Zone; Storey County Master Plan and Nevada Revised Statues 278.475 through 278.477
Property Location:	21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47)
Request:	The Applicant requests a boundary line adjustment between the two properties located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

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1. Background & Analysis

1.1 Site location and Characteristics

The subject properties are located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47) 1 acre Estates (E1 VCH) on parcels that are approximately 1.08 and 1.07 acres respectively. The adjacent properties in the area are also zoned E1 VCH. (Figure 1 - Area Map). The Applicants' properties are located approximately 6 miles north of Virginia City and 28 miles south of Reno.

The properties abut and share property line for about 400 feet. One property has access from Sazarac Road and the other utilizes access from Conestoga Road.



Figure 1: Area Map with parcels

1.2 Proposed Parcel Map

The existing parcels (shown above) share a straight boundary line. The proposed Parcel Map, after the Boundary Line Adjustment (BLA) shows a slightly different boundary line, slightly S shaped (Figure 2: Proposed Parcel Map). The new boundary line will result in almost the same square footage in each parcel.

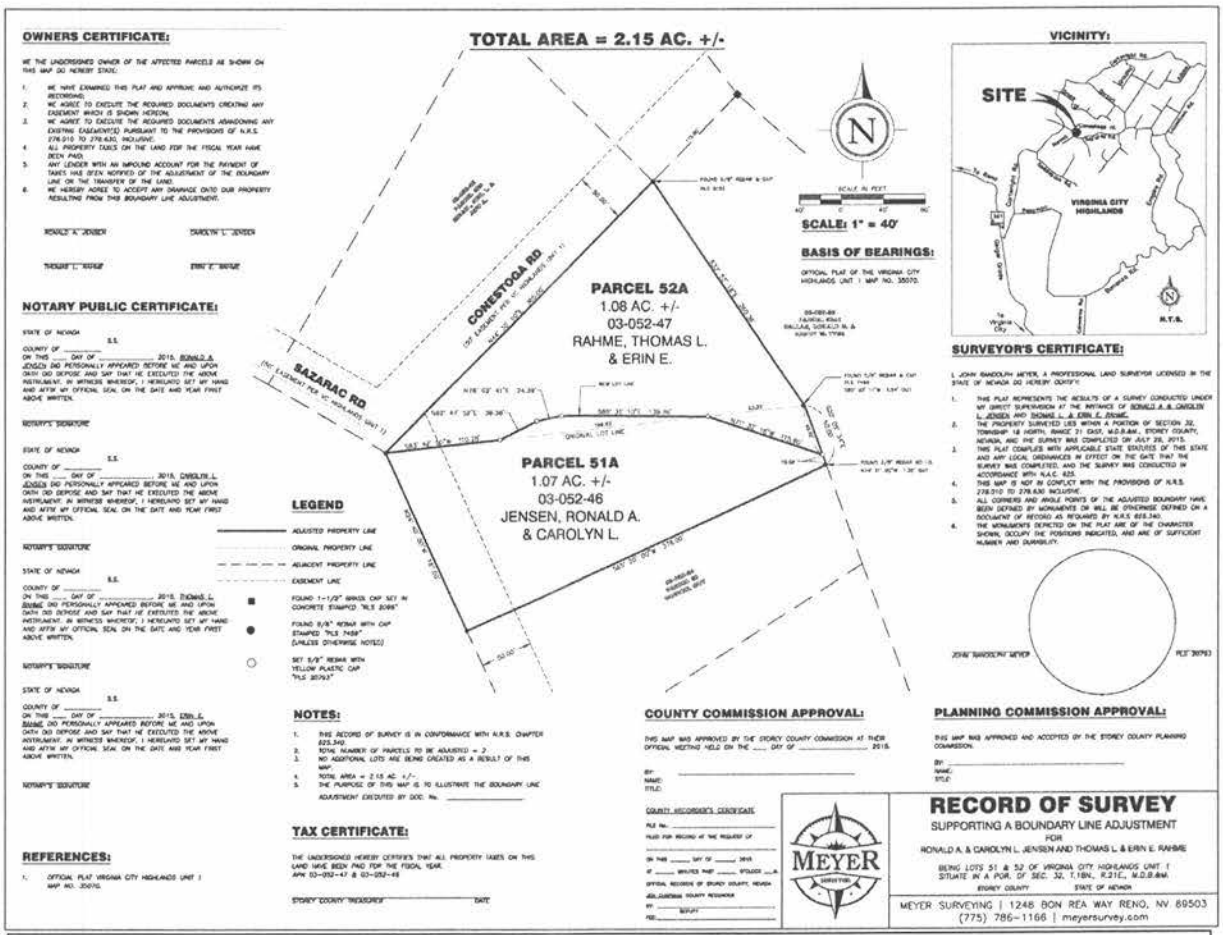


Figure 2: Proposed new parcel map. Planning Commission Approval will be changed to Received.

1.3 Application for a Parcel Map

Nevada Revised Statues (NRS) 278.475 through 278.477 defines requirements for a parcel map boundary lines adjustment. Storey County Code (SCC) does not specifically require an application for a BLA. A proposed Parcel Map must comply with NRS 278.475 through 278.477. The referenced NRS detail required map elements, some details on procedural requirements, and recording.

It was noticed that a fence did not follow the existing boundary line between the two subject properties. The existing property line also runs through a propane tank and a notable landscape feature. The adjusted boundary line aligns with the existing fence, and puts the propane tank and landscaping fully on the respective owners' property.

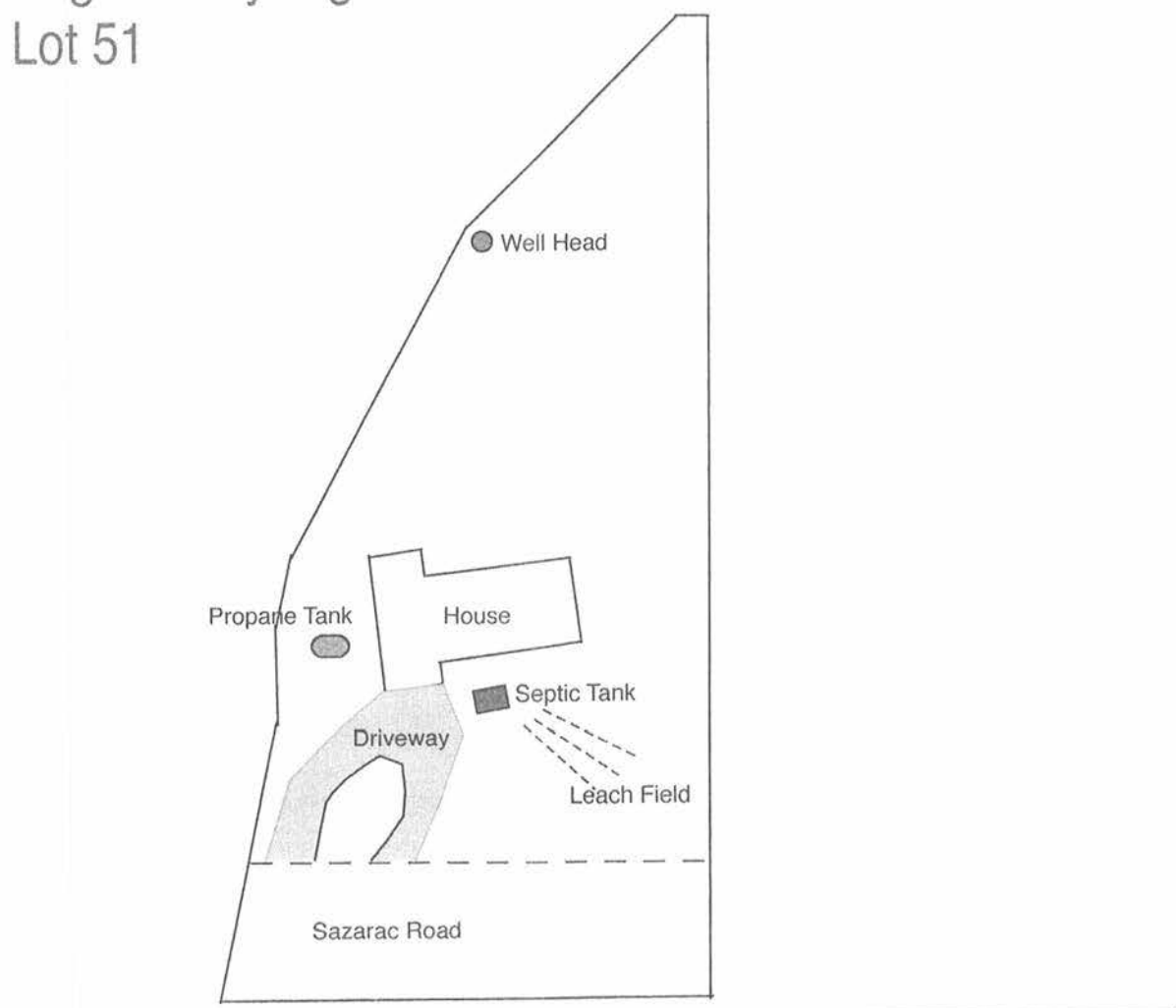


Figure 3: Layout for 003-052-46 after the BLA

1.3 Adjacent Properties Existing Land Uses

The abutting properties are a mix of single-family residential and vacant. (Figure 3: Land Uses Compatibility).

1.4 Abutting Properties Zoning

The abutting properties are zoned E1 VCH. (Figure 3: Land Uses Compatibility).

2. General Compliance with Storey County's Guiding Documents

2.1 Table 1: Land Use Compatibility

While there are no zoning changes, the following table shows land uses, Storey County Master Plan (Master Plan) designations and zoning for the land surrounding the proposed BLA. There appears to be no evident conflicts between the proposed BLA and SCC Title 17 Zoning or the Master Plan. The proposed BLA is also consistent with the surrounding existing uses.

Figure 4: Land Use Compatibility

Land	Land Use	Master Plan	Zoning
Applicant's Land	Existing single-family residence	Single-family residential	E1 VCH
Land to the east	Existing single-family residence	Single-family residential	E1 VCH
Land to the southeast	Vacant	Single-family residential	E1 VCH
Land to the south	Vacant	Single-family residential	E1 VCH
Land to the southwest	Vacant	Single-family residential	E1 VCH
Land to the West	Vacant	Single-family residential	E1 VCH
Land to the Northwest	Existing single-family residence	Single-family residential	E1 VCH
Land to the North	Vacant	Single-family residential	E1 VCH
Land to the Northeast	Existing single-family residence	Single-family residential	E1 VCH

3. Compliance with the Storey County Code - Section 17.40 Estate Zone

3.1 Storey County Code 17.40 Estate Zone

The proposed BLA is compliant with zoning is SCC 17.40 Estate Zone.

3.2 Minimum Lot Size

The minimum acreage in an E1 VCH zone is 1 acre. The Applicant's properties do conform and exceed the minimum lot size requirements with lot sizes of over 1.00 acres.

3.3 Lot Dimension Requirements

The average dimension of a lot in one direction (front to rear or side to side) may not exceed four times the average dimension in the other direction. The Applicants' properties including as adjusted do conform to the lot dimension requirements.

3.4 Height of buildings and structures

In the Estate zoning, the structure may not exceed a height of three stories or thirty-five feet, whichever is higher, except as may be allowed by a variance. The existing structures on these properties conform to this standard.

3.5 Setback Requirements

The E1 VCH zoning has a minimum front set back of 30 feet, a minimum rear setback of 40 feet

and a minimum side setback of 15 feet. The propane tank must be at least 10 feet from any structure. The Applicants' proposal conforms to all minimum setbacks.

3.6 Effect of covenants, conditions and restrictions

The E1 VCH zone utilizes covenants conditions and restrictions (CC & R's) that are administered by its local homeowners' association, the Virginia City Highlands Property Owners' Association (VCHPOA).

4. Public Comment

4.1 Public Comment

As of August 25, 2015 (date of posting) Staff has not received any comments from the public.

5. Findings

The Storey County Commission (Commission) shall cite Findings in a motion for approval, approval with conditions, or denial. The approval, approval with conditions or denial of the requested BLA must be based on Findings. The Findings listed in the following subsections are the minimum to be cited. The Planning Commission may include additional Findings in their decision.

5.1 Motion for Approval

The Findings listed in this subsection are the minimum to be cited in an approval or approval with conditions. The following Findings are evident with regard to the requested BLA when the recommended conditions in Section 6 are applied. At a minimum, an approval or conditional approval must be based on the following Findings:

5.1.1 The BLA complies with NRS 278.475 through 278.477 relating to the change in location of boundary line; and

5.1.2 The BLA complies with all Federal, State, and County regulations pertaining to Parcel Maps, BLA and allowed land uses; and

5.1.3 The BLA will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity; and

5.1.4 The conditions of approval for the requested BLA do not conflict with the minimum requirements in Storey County Code Chapters 17.40 Estate Zone or any other Federal, State, or County regulations.

5.2 Motion for Denial

Should a motion be made to deny the BLA request, the following Findings with explanation of why should be included in that motion.

5.2.1 Substantial evidence shows that the BLA conflicts with the purpose, intent, and other specific requirement of Storey County Code Chapter 17.40 Estate Zone or any other Federal, State, or County regulations, including NRS 278.475 through 278.477; or

5.2.2 The Recommended Conditions of Approval for the BLA do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding uses.

6. Recommended Conditions of Approval

All conditions must be met to the satisfaction of each applicable County Department, unless otherwise stated.

1. General requirements. The Parcel Map must comply with Nevada Revised Statues (NRS) 278.475 through 278.477 relating to the change in location of boundary line. The BLA must comply with Federal, State, and County regulations pertaining to BLA and allowed land uses.

2. Record of Survey. The Applicant shall submit to the Storey County Planning Department (Planning Department) a Record of Survey. The Final Map must show all parcel boundaries, easements, and right-of-ways.

3. Access and Easements. All existing streets, easements, and utility easements, whether public or private, must remain in effect and be delineated clearly on the Final Map. No existing easements will be affected by the approval of this BLA.

4. Taxes Paid. Prior to the recording of the proposed BLA, the Applicant shall submit to the Planning Department evidence that property taxes on the land have been paid up to date.

5. Duties of the Parcel Map Preparer. The preparer of the proposed Parcel Map shall meet all requirements pursuant to NRS 278.475 through 278.477.

6. Final Map. The Final Parcel Map must meet the form and contents pursuant to NRS 278.477.

7. Null and Void. The Final BLA must be recorded with the Storey County Recorder within 12 months of the Board's approval. If the Final Map is not recorded by that time, this approval will become null and void.

8. Indemnification. The Applicant warrants that the future use of land will conform to requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Applicant warrants that continued and future use of the land shall so conform. The Applicant and property owner(s) agree to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Approval.

7. Power of the County Commission

At the conclusion of the hearing, the County Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the County Commission upon which it bases its decision. The County Commission must consider the staff report and the recommendation from the Planning Commission.

8. Proposed Motions

This Section contains two motions from which to choose. The motion for approval is recommended by Staff and the Planning Commission in accordance with the findings under Section 5.1 of this report. Those findings should be made part of that motion. A motion for denial may be made and that motion should cite one or more of the findings shown in Section 5.2. Other findings of fact determined appropriate by the County Commission should be made part of either motion.

8.1 Recommended Motion (Motion for approval)

In accordance with the recommendation by Staff and the Planning Commission, the Findings under section 5.1 of the Staff Report, and in compliance with all Conditions of Approval, I [County Commissioner] hereby recommend approval with conditions for the Boundary Line Adjustment Application Number 2015-027 for a Boundary Line Adjustment between the properties located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

Summary: Approval of BLA with conditions

8.2 Alternative Motion (motion for denial)

In accordance with the Findings under section 5.2 of this report and other Findings, against the recommendation for approval with conditions by Staff and the Planning Commission, I [County Commissioner] hereby recommend denial for the Boundary Line Adjustment Application Number 2015-027 for a Boundary Line Adjustment between the properties located at 21410 Sazarac Road and 2115 Conestoga Road, Virginia City Highlands, Storey County, Nevada (APN: 003-052-46 and 003-052-47).

Summary: Denial of BLA

Prepared by: Jason VanHavel

APPENDIX 1

NRS 278.475 through 278.477

NRS 278.475 Amended plat, survey or map to correct or amend recorded plat, survey or map if correction or amendment changes location of survey monument, property line or boundary line: Request; preparation and recordation.

1. To correct an error or omission in or to amend any recorded subdivision plat, record of survey, parcel map, map of division into large parcels or reversionary map, if the correction or amendment changes or purports to change the physical location of any survey monument, property line or boundary line, an amended plat, survey or map must be requested and recorded pursuant to this section.

2. An amended plat, survey or map may be requested by:

(a) The county surveyor to make a correction or amendment which affects land located within the boundaries of an unincorporated area or Carson City;

(b) The city surveyor or a professional land surveyor appointed by the governing body of the city to make a correction or amendment which affects land located within an incorporated city;

(c) The planning commission if authorized by local ordinance; or

(d) A professional land surveyor registered pursuant to chapter 625 of NRS.

3. Except as otherwise provided in this subsection, a surveyor who:

(a) Performed the survey; or

(b) Is responsible for an error or omission which is to be corrected,

➥ shall prepare and record the amended plat, survey or map within 90 days after the surveyor receives notification of the request made pursuant to subsection 2. The time within which the surveyor must prepare and record the amended plat, survey or map may be extended by the county surveyor, the city surveyor or a professional land surveyor appointed by the governing body of the city or the planning commission. If the surveyor who performed the survey or is responsible for the error or omission is no longer professionally active, the county surveyor, city surveyor or a professional land surveyor appointed by the governing body shall prepare and file the amended plat, survey or map.

(Added to NRS by 1977, 1505; A 1979, 1501; 1991, 1152; 1993, 2578; 1997, 2434)

NRS 278.477 Amendment of recorded plat, map or survey which changes location of survey monument, property line or boundary line: Procedures and requirements.

1. In addition to the requirements of subsection 2, an amendment of a recorded subdivision plat, parcel map, map of division into large parcels or record of survey which changes or purports to change the physical location of any survey monument, property line or boundary line is subject to the following requirements:

(a) If the proposed amendment is to a parcel map, map of division into large parcels or record of survey, the same procedures and requirements as in the original filing.

(b) If the proposed amendment is to a subdivision plat, only those procedures for the approval and filing of a final map.

2. Any amended subdivision plat, parcel map, map of division into large parcels or record of survey required pursuant to subsection 1 must:

(a) Be identical in size and scale to the document being amended, drawn in the manner and on the material provided by law;

(b) Have the words "Amended Plat of" prominently displayed on each sheet above the title of the document amended;

(c) Have a legal description that describes only the property which is to be included in the amendment;

(d) Have a blank margin for the county recorder's index information;

(e) Have a 3-inch square adjacent to and on the left side of the existing square for the county recorder's information and stamp; and

(f) Contain a certificate of the professional land surveyor licensed pursuant to chapter 625 of NRS who prepared the amendment stating that it complies with all pertinent sections of NRS 278.010 to278.630, inclusive, and 625.340 to 625.380, inclusive, and with any applicable local ordinance.

3. Any amended subdivision plat, parcel map, map of division into large parcels or record of survey that is recorded in support of an adjusted boundary must:

(a) Contain or be accompanied by the report of a title company and the certificate required by NRS 278.374 or an order of the district court of the county in which the land is located that the amendment may be approved without all the necessary signatures if the order is based upon a finding that:

(1) A bona fide effort was made to notify the necessary persons;

(2) All persons who responded to the notice have consented to the amendment; and

(3) The amendment does not adversely affect the persons who did not respond; and

(b) Contain a certificate executed by the appropriate county surveyor, county engineer, city surveyor or city engineer, if he or she is registered as a professional land surveyor or civil engineer pursuant tochapter 625 of NRS, stating that he or she has examined the document and that it is technically correct.

4. Upon recording the amended document, the county recorder shall cause a proper notation to be entered upon all recorded sheets of the document being amended, if the county recorder does not maintain a cumulative index for such maps and amendments. If such an index is maintained, the county recorder shall direct an appropriate entry for the amendment.

5. A county recorder who records a plat, map or record of survey pursuant to this section shall, within 7 working days after he or she records the plat, map or record of survey, provide to the county assessor at no charge:

(a) A duplicate copy of the plat, map or record of survey and any supporting documents; or

(b) Access to the digital plat, map or record of survey and any digital supporting documents. The plat, map or record of survey and the supporting documents must be in a form that is acceptable to the county recorder and the county assessor.

(Added to NRS by 1977, 1505; A 1979, 1501; 1987, 380; 1989, 796; 1991, 1890; 1993, 2579; 1997, 1065, 2434; 2001, 1563; 2003, 2789)

APPENDIX 2

Statement in application on purpose for BLA

Detail Description/Justification of Project

This application is for boundary line adjustment (BLA) between lots 51 & 52 within Section 32, Township 18 North, Range 21 East, M.D.M., Virginia City Highlands Unit 1 (Map no. 35070).
It was revealed by a surveyor that the fence separating the two properties was not following the true property line. This survey showed the property line being closer to the home on lot 51, in fact it crossed through the propane tank on lot 51. In order to provide proper set backs from the house and property line for the propane tank and preserving part of an established garden area on lot 51, both property owners of lots 51 & 52 agreed to a BLA that would keep the acreage on both lots the same.

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 09/01/15 **Estimate of time required:** 15 min.

Agenda: Consent [ ] Regular agenda [x] Public hearing required [x]

---

1. **Title:** Discussion/Possible Action: Special Use Permit 2015-028, by Jeffrey Rockstrom. The applicant is requesting a Special Use Permit to conduct business outside of a permanent building, i.e., operate a Hot Dog Trailer in Virginia City.

2. **Recommended motion: (Recommended motion for approval)** In accordance with the recommendation by Staff, and the Planning Commission, the Findings under Section 5.2 of the Staff Report and other Findings deemed appropriate by the County Commission, I [County Commissioner] hereby recommend denial of Special Use Permit Application Number 2015-028 for the operation by the applicant of a hot dog trailer in Virginia City, Storey County, Nevada.

3. **Prepared by:** Jason VanHavel

Department: Planning **Telephone:** 847-1144

4. **Staff summary:** See enclosed Staff Report No. 2015-028.

5. **Supporting materials:** Staff Report No. 2015-028.

6. **Fiscal impact:** None on local government.

Funds Available: Fund: ____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

____ Department Head Department Name:

____ County Manager Other agency review: _____

9. **Board action:**

[ ] Approved [ ] Approved with Modifications
[ ] Denied [ ] Continued

Agenda Item No. 19

STOREY COUNTY
PLANNING DEPARTMENT
Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440
Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org

To:	Storey County Commission
From:	Storey County Planning Department
Meeting Date:	September 1, 2015
Meeting Location:	Virginia City Courthouse, 26 South B Street, Virginia City, NV 89440
Case Number:	2015-028
Applicant:	Jeffrey Rockstrom
Property Owners:	Jeffrey Rockstrom
Staff Contact:	Jason VanHavel, Storey County Planner
Figures:	Figure 1: Land Use Compatibility
Appendix:	Appendix 1: Proposed Trailer Plan, Appendix 2: Applicant Statement Appendix 3: Basic Las Vegas Mobile Food Vendor requirements (typical)
Guiding Documents:	Storey County Code, Section 17.03.150 Special Use Permit (conditional use), 17.10.030 Definitions, 17.30.030 CR Commercial Residential Zone; Storey County Master Plan
Property Location:	Mobile yet generally in Virginia City, Storey County, Nevada
Request:	For a Special Use Permit to conduct business outside of a permanent building, i.e., operate a Hot Dog Trailer in Virginia City.

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1. Background & Analysis

1.1 Site location and Characteristics

The applicant seeks to operate a hot dog trailer in the V&T Depot area of Virginia City during the time of year that the train operates. During the remaining time of year, the applicant wishes to operate the hot dog trailer in others areas of Virginia City. The greater Virginia City area has several different Zoning areas. The Commercial core of Virginia City along C Street and the V&T Depot area are Zoned CR Commercial Residential. The majority of the residential areas of town are Zoned R1 Residential. There are a few areas of Public P zoning, and Forestry F around the edges of Virginia City.

1.2 Proposed Use

The applicant's hot dog trailer will be vending food in addition to conducting business outside of a permanent building. This proposed use is only allowable with a Special Use Permit (SUP) in certain zones of Virginia City. Food vending is not allowed, even with a SUP, in R1, F and P Zones. The only allowable zone in the Virginia City area for this proposed use is the CR Zoning with a SUP per SCC 17.30.030.

1.3 Special Use Permit Required

Within the CR Zone of Virginia City, SCC 17.30.030 outlines the uses that require a SUP. Paragraph X reads, "Display, sale, barter, or trade of items associated with a business outside of a permanent building, except farmer's markets pursuant to this chapter and permitted temporary uses. The sale and display of merchandise and other items, and business that is conducted on the public right-of-way and between the public travelled way and the building is prohibited pursuant 17.12 General provisions."

The reference in paragraph X that applies here is the outside of a permanent building. Restaurants are allowed in the CR Zone, but they operate from a permanent location. The mobile nature of the hot dog trailer implies temporary and is located outside of a permanent building.

The provisions of SCC 17.30.030.X apply and a Special Use Permit is required.

1.4 Definitions

Sign. SCC 17.10.30, "The term "Sign" refers to any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant); or lights or any combination that is designed, intended, or used to advertise, attract special attention, or otherwise inform when any part of the advertising or information content is visible from an outdoor area."

Similar Use. SCC 17.10.30, "Where a specific use is cited, the term "Similar Use" is any use that has the same characteristics as the cited use in terms of trip generation and type of traffic, parking, and circulation, utility demands, environmental impacts, physical space needs and clientele, and other land use impacts, as determined by the board with action by the planning commission to be consistent with the allowed uses within the zone."

Solid Waste. SCC 17.10.30, "The term "Solid Waste" refers to all putrescible and non-putrescible refuse in solid or semisolid form, including, but not limited to, garbage, rubbish, junk vehicles (not including "junkyards"), ashes, incinerator residue, street refuse, dead animals, demolition waste,

construction waste, and solid or semisolid commercial and industrial waste. The term does not include hazardous waste managed pursuant to NRS 459."

Temporary. SCC 17.10.30, "The term "Temporary" refers to impermanent; not permanent; not lasting."

Public Right-of-Way. SCC 17.10.30, "The term "Public Right-of-Way" refers to a strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public traveled ways, highways, sidewalks, boardwalks, bicycle lanes, equestrian and pedestrian trails, or other transportation related improvements."

1.5 Surrounding Uses

In the area of the V&T Railroad, there is a school to the west, a residence and church to the north, a residence and parking lot to the east, rail line to the south.

Along C Street, there are many examples of retail, restaurants, saloons, casinos, and some Public uses. Several special events also take place along C Street.

1.6 Area Impacts

It appears the hot dog trailer would be an unusual addition to the V&T Depot area, and could be an acceptable change to the area. The use could be appropriate for the area as it does receive tourist traffic and can be commercial in nature. There are no food vendors in the area of the depot, so this might service an existing need. The hot dog trailer could also satisfy a demand for food during special events at the fairgrounds.

The impacts to C Street are a bit different. The hot dog trailer would fit the character of the area just fine; however it could have significant impacts on currently established businesses as it may be in direct competition with some. This impact could probably be mitigated by managing the location that the hot dog trailer operates. Addressing the operating locations should be a Required Condition of Approval. The trailer cannot operate in a public right-of-way as this is against ordinance and could generate too much pedestrian traffic near vehicular traffic and cause a public safety problem. The boardwalk is part of the public right-of-way. The applicant will need to obtain permission from land owners to operate the trailer on owner's private land. These conditions should address the detailed impact on C Street.



Figure 1. Area around the V&T Depot with Zoning.

Signage will need to be in compliance with SCC 17.84 and there must not be any adverse impacts on public safety, and welfare because of potential solid waste generation.

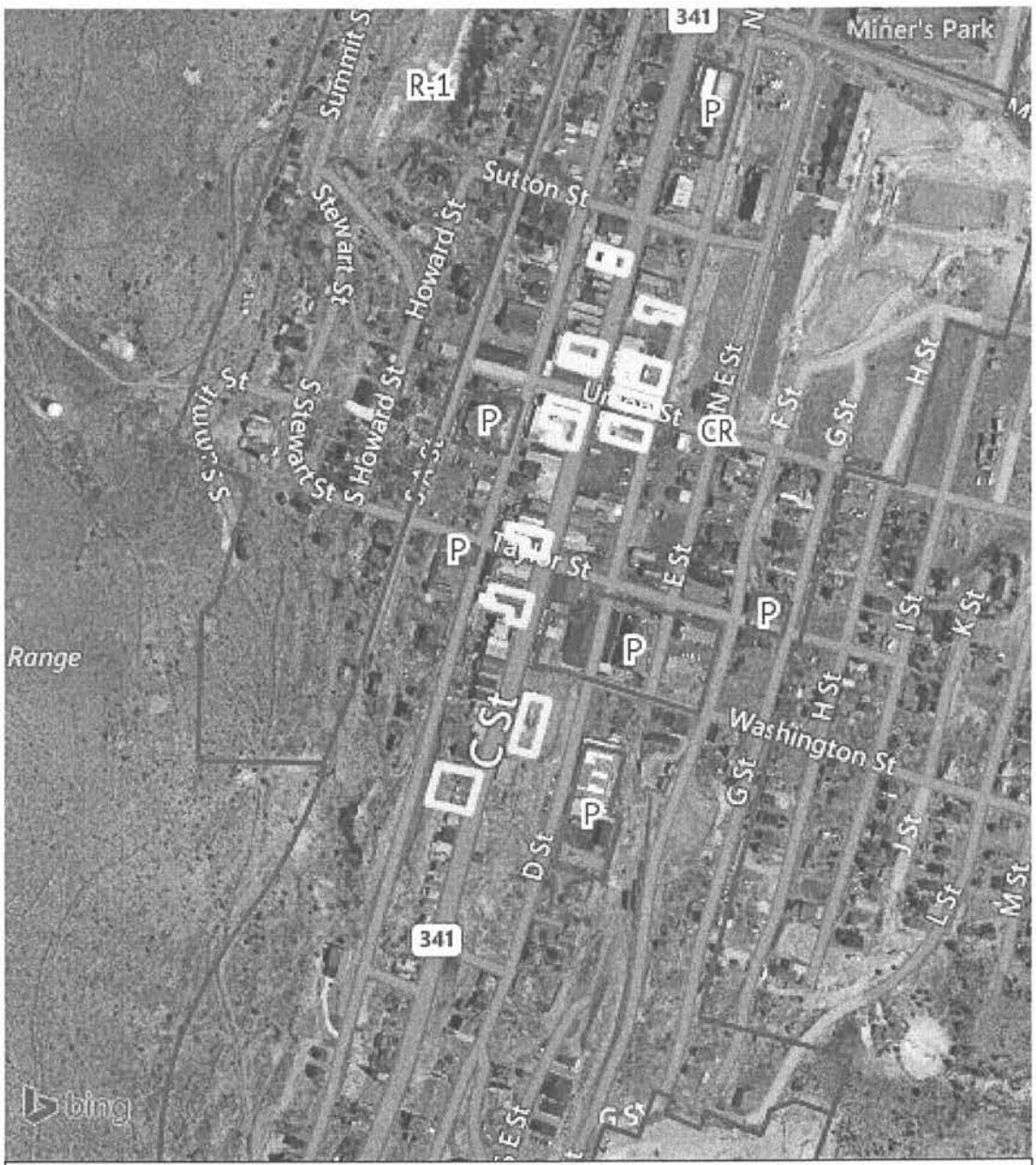


Figure 2. Locations that sell prepared food on C Street with zoning.

Another possible way to mitigate area impacts is to limit the time of year that the Hot Dog Trailer can operate. Since the Service seems needed at the V&T Depot, As long as the V&T is operating, the Hot Dog Trailer should be able to operate at the Depot, with owner's permission. To mitigate the impact on C Street, one of the conditions could address when the trailer can operate. Some ways to implement this are to only allow operation on C Street during certain months of the year, during special events, certain days of the week, and/or time of the day. Staff left these restrictions off the Recommendations for Conditions of Approval.

2. General Compliance with Storey County's Guiding Documents

2.1 Summary Table

The table below shows land uses, master plan designations and zoning for the land surrounding the proposed residence. There are no evident conflicts between the proposal and the County Master Plan. The proposed use is consistent with the surrounding area that allows for commercial uses.

Figure 3: Land Use Compatibility V&T Area

Land	Land Use	Master Plan	Zoning
Applicant's Area (V&T)	Railroad and Depot	Commercial-Residential	CR
Land to the east	Residential and Parking Lot	Commercial-Residential	CR
Land to the southeast	Vacant and Residential	Commercial-Residential	CR
Land to the south	Vacant	Commercial-Residential	CR
Land to the southwest	Residential	Commercial-Residential	CR
Land to the West	School	Public	P
Land to the Northwest	Residential	Commercial-Residential	CR
Land to the North	Residential and Church	Public	CR
Land to the Northeast	Residential and Vacant	Commercial-Residential	CR

2.2 Storey County Master Plan

Page 5 of the 1994 Storey County Master Plan, Goal 1 under the Economy says to enhance diversification of economic opportunities within the county. The plan then identifies Objective 1.2 under Economy as to promote commercial business activity in Virginia City. This objective seems to encourage more and different kinds of businesses in Storey County. The addition of a hot dog trailer would be new idea that does not seem to violate the historical values in Virginia City.

By approving this application the county should support the desired direction of the existing county master plan.

3. Compliance with the Storey County Code - Section 17.30 Commercial Residential

3.1 Special Use Permit Required

SCC Section 17.30.030 - Uses subject to special use permit states:
"Unless stated otherwise, the following uses may be permitted subject to securing a special use permit as provided for in chapter 17.03 Administrative provisions:
X. Display, sale, barter, or trade of items associated with a business outside of a permanent building, except farmer's markets pursuant to this chapter and permitted temporary uses. The sale and display of merchandise and other items, and business that is conducted on the public right-of-way and between the public travelled way and the building is prohibited pursuant 17.12 General provisions

The temporary nature of this business requires a SUP.

3.2 Business License

Applicant is required to obtain a business license per SCC 5.04.010. Before final approval of the business license, other approvals may be required per SCC 5.04.050, especially Nevada Division of

Public and Behavioral Health Food Establishment Inspections.

4. Public Comment

4.1 Public Comment

As of August 25, 2015 (date of posting) Staff has received three comment from the public in addition to the public comments during the Planning Commission meeting on August 20, 2015.

> "As a local resident and business person it does not seem to be the proper "feel" for the community. Once this type of vendor becomes approved then it opens the door for any number of other similar type vendors that may become a blight on the business environment of the historic nature of the community."
>
> Kelly from Finders Keepers prefers to not have the Hot Dog Trailer on C Street, as it will allow for other types of adverse impacts on C Street. She does not have a problem allowing the operation at the V&T station.
>
> Zepha at Zepha's Cove said that she also speaks for Reds and the Mark Twain. Her opinion is strongly against the hot dog trailer operating on C Street or at the V&T. "There are too many hot dog vendors already." Plus she said that this is a slippery slope to allow national chains into town.

5. Findings

5.1 Motion for Approval

The following findings of fact are evident with regard to the requested Special Use Permit when the recommended conditions of approval in Section 6 Recommended Conditions of Approval are applied:

5.1.1 The Special Use Permit complies with all federal, state, and county regulations.

5.1.2 The Special Use Permit will not impose substantial adverse impacts or safety hazards on the adjacent properties or the surrounding area.

5.1.3 The conditions of the Special Use Permit adequately address potential health and fire hazards and require compliance with the applicable health and fire codes, including setback and fire protection ratings and health related inspections and codes.

5.1.4 The conditions under this The Special Use Permit do not conflict with the minimum requirements in SCC Chapter 17.30 Commercial-Residential Zone, SCC Chapter 05 Business Licenses and Regulations or Chapter 17.03.150 Special Use Permits, or any other federal, state, or county regulations, including building and fire codes.

5.2 Motion for Denial

Should a motion be made to deny the Special Use Permit request, the following findings with explanation of why should be included in that motion.

5.2.1 Substantial evidence shows that the Special Use Permit may conflict with the purpose, intent, and other specific requirement of SCC 17.30 Commercial Residential Zone, 17.12 General Provisions or Chapter 17.03.150 Special Use Permit or other federal, state, or county regulations.

5.2.2 The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for public and surrounding uses.

6. Recommended Conditions of Approval

All conditions must be met to the satisfaction of each applicable County Department, unless otherwise stated.

1. **Compliance**. The Special Use Permit and use allowed thereby must comply and remain in compliance with all provisions set forth by this Special Use Permit and Federal, Nevada State and Storey County codes and regulations, and submitted plans and reports as approved. The Applicant must obtain business license from Storey County Community Development.

2. **Permits and expiration.** The Applicant must apply for a business license within 24 months from the date of board approval for this Special Use Permit, and continuously maintain a valid business license, as appropriate, or this approval will become null and void. All required health and safety inspections and licensing must be completed first.

3. **Location.** The applicant shall not operate the hot dog trailer on Public land or public right-of-way. The applicant must obtain permission from the land owner to operate on private land. The applicant may operate the hog dog trailer on land owned by the Virginia & Truckee Railroad or within 150 feet of C Street in Virginia City, NV from the intersection with D Street on the north end and the intersection of the truck route (intersection of SR 341 and SR 342) on the south end of Virginia City, NV.

4. **Distance to Permanent Food Establishments**. The applicant must not operate the hog dog trailer within 150 feet of other food establishments licensed as such and operating out of a permanent location.

5. **Solid Waste.** The waste generation from the operation and sales of the trailer must not produce any noticeable impact on the surrounding area.

6. **Trailer Construction.** Since the trailer will be custom constructed, the final trailer will be inspected by the Storey County Fire District and determined to be reasonably safe from fire and explosion threats generated from operations, including potential transportation of the trailer. If the trailer is to be transported as a trailer being towed between locations, the trailer shall be registered as a trailer with the Nevada Department of Motor Vehicles.

7. **24 Months**. At such time that the hot dog trailer is non-operating for more than 24 months by person(s) approved by this Special Use Permit, then this approval will become null and void.

8. **Indemnification**. The Applicant warrants that future operation of the hog dog trailer will conform to requirements of Storey County, State of Nevada, and applicable federal regulatory and legal requirements; further, the Applicant warrants that continued and future operation of the hog dog trailer shall so conform. The Applicant and property owner(s) agree to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Special Use Permit.

9. **Limited Hours, Days of Week, and Months of the Year.** The Applicant may operate when the V&T Railroad is operating. Further, the Applicant may only operate times of day, days of the week, and months of the year as specified by the Commission.

10. **Comstock Historic District Commission (CHDC).** The Applicant will present the final construction appearance of the hot dog trailer to the CHDC and receive a Certificate of Appropriateness (CofA) which shall be presented to the County before a business license is issued. CHDC may wave this condition if CHDC believes it does not have the authority to issue a CofA for the hot dog trailer.

7. Power of the County Commission

At the conclusion of the hearing, the County Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the County Commission upon which it bases its decision. The decision of the County Commission must consider the report and recommendation from the Planning Commission.

8. Proposed Motions

This Section contains four motions from which to choose. The motion for approval is in accordance with the findings under Section 5.1 of this report. Those findings should be made part of that motion. A motion for denial is recommended by Staff and that motion should cite one or more of the findings shown in Section 5.2. Other findings of fact determined appropriate by the County Commission should be made part of either motion.

8.1 Recommended Motion (motion for denial)

In accordance with the recommendation by Staff, and the Planning Commission, the Findings under Section 5.2 of the Staff Report and other Findings deemed appropriate by the County Commission, I [County Commissioner] hereby recommend denial of Special Use Permit Application Number 2015-028 for the operation by the applicant of a hot dog trailer in Virginia City, Storey County, Nevada.

Summary: Denial of special use permit

8.2 Alternative Motion (Motion for approval)

In accordance with the Findings under Section 5.1 of the Staff Report and other Findings deemed appropriate by the County Commission, and compliance with the conditions of approval in Section 6 of this report and against recommendation by staff and the Planning Commission, I [County Commissioner] hereby recommend conditional approval of Special Use Permit Application Number 2015-028 for the operation by the applicant of a hot dog trailer in Virginia City, Storey County, Nevada.

Summary: Approval of special use permit with all conditions

8.3 Alternative Motion (motion for approval)

In accordance with the Findings under Section 5.1 of the Staff Report and/or other Findings deemed appropriate by the County Commission, and compliance with conditions of approval in Section 6 of this report except condition 3, Location, which should be modified to only allow applicant to operate at the F Street location of the V & T Depot during V & T operating hours, and against recommendation by Staff and the Planning Commission, I [Planning Commissioner] hereby recommend conditional approval of Special Use Permit Application Number 2015-028 for the operation by the applicant of a

hot dog trailer at 166 South F Street, Virginia City, Storey County, Nevada.

Summary: Approval of special use permit to operate at V & T Depot only

8.4 Alternative Motion (motion for approval)

In accordance with the Findings under Section 5.1 of the Staff Report and other Findings deemed appropriate by the County Commission, and compliance with conditions of approval in Section 6 of this report or the conditions selected, and against recommendation by Staff and the Planning Commission, I [Planning Commissioner] hereby recommend conditional approval of Special Use Permit Application Number 2015-028 for the operation by the applicant of a hot dog trailer at 166 South F Street, Virginia City, Storey County, Nevada.

Summary: Approval of special use permit to operate at V & T Depot only

Possible Conditions for 8.4 Alternative Motion

1. Specify limited times of day, days of week, or months of year.
2. Limited locations of operation.
3. Different distances from other food vendors.
4. Require operation from inside of a permanent building.

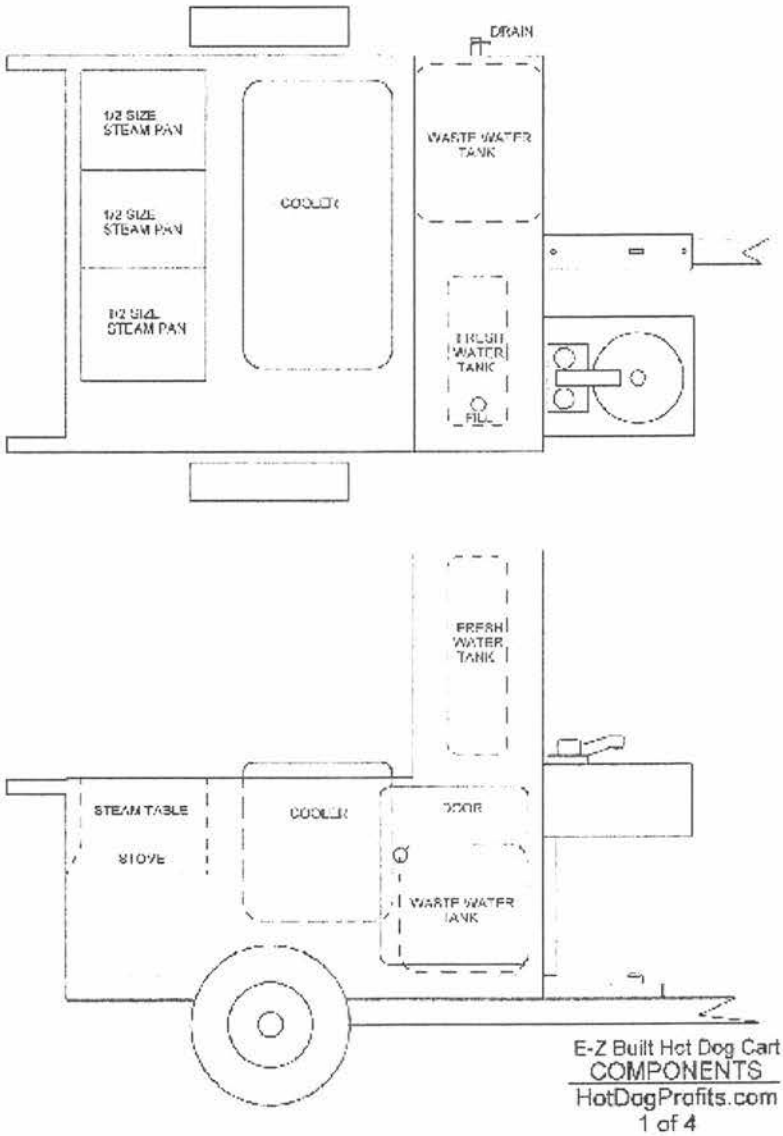
9. Planning Commission

The Planning Commission heard this application on August 20, 2015. The applicant clarified that he would only like an SUP to operate at the V & T Railroad Depot in Virginia City and operate elsewhere in Virginia City during special events. Approximately 15 members from the public, and local business owners, spoke against the entire SUP. Some spoke against the operation on C Street and were neutral for the operation on F Street. One person spoke in favor of the SUP. The Planning Commission motioned to continue the item but that motion failed 3 ayes, and 4 nays. The Planning Commission finally voted 5-2 to deny the SUP.

Prepared by: Jason VanHavel

APPENDIX 1

Proposed Hot Dog Trailer Plan


DRAIN
1/2 SIZE STEAM PAN
1/2 SIZE STEAM PAN
1/2 SIZE STEAM PAN
WASTE WATER TANK
FRESH WATER TANK
FILL
FRESH WATER TANK
STEAM TABLE
STOVE
COOLER
DOOR
WASTE WATER TANK
E-Z Built Hot Dog Cart
COMPONENTS
HotDogProfits.com
1 of 4

APPENDIX 2

Applicant Statement

Detail Description/Justification of Project
Attached additional pages as necessary

Set up a hotdog cart at the V&T station in Virginia city. We will be selling during the operational hours of the Rail Road. After the train season (OCT 31) we will work only special events during the off season. IN VIRGINIA City

APPENDIX 3

Basic Las Vegas Mobile Food Vendor Requirements

City of Las Vegas

Department of Planning
Business Licensing Division
333 N. Rancho Drive
Las Vegas, Nevada 89106

City of Las Vegas Business License Instructions

Mobile Food Vendor

Any person who offers for sale or sells food items by means of a vehicle. Vehicle means a motorized vehicle as well as a trailer or other portable unit that is drawn by a motorized vehicle and is intended for use in vending.

1. Confirm the proposed business location is within the Las Vegas city limits and properly zoned for this activity. For information on planning, zoning, and building requirements, call (702) 229-6301 or visit the City of Las Vegas Development Services Center, 333 N. Rancho Drive, Las Vegas, Nevada 89106.
2. Provide proof of compliance with the Nevada Secretary of State located at 555 East Washington Avenue, Suite 5200, Las Vegas, Nevada 89101. For additional information call (702) 486-2880 or visit their website at www.nvsilverflume.gov. Provide proof of compliance with the Nevada Department of Taxation located at 555 East Washington Avenue, Las Vegas, Nevada 89101. For additional information call (866) 962-3707 or visit their website at www.nvsilverflume.gov.
3. Apply for and obtain a Health Permit for each vehicle and a health card for each operator from the Southern Nevada Health Department. For more information call (702) 759-1000 or visit their web site at www.southernnevadahealthdistrict.org.
4. Provide a copy of a valid, unexpired Nevada vehicle registration for each vehicle.
5. Maintain public liability and property damage insurance which shall protect the public against any and all claims for personal injury damages, including death, and property damages which may arise out of or in connection with any operations or activities of the mobile food vendor. The amount of such insurance shall not be less than $100,000 for injuries, including death, to any one person, and subject to the same limit for each person in an amount of not less than $300,000, including death, to more than one person on account of any one accident, and property damage insurance in an amount not less than $25,000 for each accident. A certificate of insurance shall be provided to the Department prior to the issuance of a business license and the City shall be named as an additional insured party. Any insurance coverage provided under this Section shall also contain a provision that any cancellation or material change in the coverage shall not become effective until the City has been given sixty days prior written notification.
6. 30 days prior to commencing business, apply on-line at https://dscportal.lasvegasnevada.gov or bring a completed license application and all applicable items as listed above to the Business Licensing Division, 333 N. Rancho Drive, Las Vegas, Nevada 89106.
7. Fees due at time application is submitted are $150 ($100 license fee + $50 processing fee). License fees are based on the gross revenue of the business and are due in advance semiannually. If your business is approved for operation from your home and you reside in the city limits of Las Vegas an additional one time fee of $50 is required for a Home Occupation Permit. Make check payable to CITY OF LAS VEGAS.
8. Business license applications are sent to the Planning Department and Fire Department for review and inspection. Upon approval from these agencies and completion of all items listed above, the Business Licensing Division will issue your business license.

Storey County Board of County Commissioners
Agenda Action Report

Meeting date: 9-1-15 **Estimate of time required:** 0 - 5

Agenda: Consent [ ] Regular agenda [x] Public hearing required [ ]

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1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion;** Approval

3. **Prepared by:** Stacey Bucchianeri

   Department: Community Development **Telephone:** 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

   Funds Available: Fund: ____ Comptroller

7. **Legal review required:** None

   ____ District Attorney

8. **Reviewed by:**

   _x__ Department Head Department Name: Community Development

   ____ County Manager Other agency review: _____

9. **Board action:**

   [ ] Approved [ ] Approved with Modifications

   [ ] Denied [ ] Continued

Agenda Item No. 20

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

August 24, 2015
Via email

Please add the following item(s) to the **September 1, 2015,** COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD
SECOND READINGS

A. **SOLAR UNITED NETWORK --** Contractor / 3555 Airway Drive #314 ~ Reno (solar contractor)
B. **BI NUTRACEUTICALS, INC. – General / 625 Waltham Way #101 (milling botanicals)** **TRI**
C. **UNIQUE BUILDING GROUP –** Contractor / 6390 Greenwich Drive ~ San Diego (lathing contractor)
D. **A-Z TRUCK MARINE AND RV – General / 3033 Waltham Way (repair, parts, access.)** **TRI**
E. **RICH DOSS, INC. – General / 201 Wild Horse Canyon Drive (transportation)** **MCC**

Inspection Required

ec: Chris Hood, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.
Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Fritz Klingler, Fire Dept.
Sheriff's Office
Commissioners' Office
Assessor's Office