

**STAFF REPORT FOR THE
PLANNING COMMISSION WORKSHOP OF NOVEMBER 2, 2020**

FILE NO: ZA-2020-0001

AGENDA ITEM: D.1

STAFF CONTACT: Lee Plemel, AICP, Community Development Director

AGENDA TITLE: For Discussion Only: Discussion only regarding possible amendments to Chapter 18.05 (General Provisions) and Title 18 Appendix (Development Standards), Division 1 (Land Use and Site Design).

STAFF SUMMARY: The Planning Commission is conducting public workshops and making recommendations regarding possible updates to Title 18 (Zoning) of the Carson City Municipal Code. The Commission will be reviewing Chapter 18.05 and the Development Standards Division 1 at this workshop and may make recommendations to staff for possible amendments. The Commission will make final recommendations regarding these chapters to the Board of Supervisors at a future meeting.

PROPOSED MOTION: [No action; discussion only.]

DISCUSSION:

This workshop is part of a series of workshops that will be conducted with the Planning Commission to review Title 18 and the Development Standards in anticipation of a comprehensive update of those sections of the Carson City Municipal Code. The focus of this workshop will be to review Chapter 18.05 and the Development Standards Division 1, to consider any public regarding these chapters, and to give comments to staff regarding proposed updates to these chapters. This is a continuation of the discussion from the Planning Commission workshop of October 7, 2020, regarding Chapter 18.05 and Development Standards Division 1.

Attached are Chapter 18.05 and Development Standards Division 1 with staff's draft amendments, based on prior discussions with the Planning Commission regarding these chapters, for review and discussion. The attached document includes staff comments throughout the various code sections, noted in *[bracketed text]*, where explanation for the proposed changes may be needed. Also attached is a "clean" version of Chapter 18.05 with the proposed changes accepted, which may be easier to read than the marked version. Changes made since the October 7 Planning Commission workshop are noted in the marked documents in Track Changes Track Changes format (like this) to assist the Commission in noting where modifications have been made.

The proposed changes include technical text corrections and clarifying verbiage as well as substantive changes. The draft amendments are not final recommendations but are intended to help guide the discussion in order to refine the text before final recommendations are made to the Board of Supervisors. Also note that the purpose of the workshops is to identify substantive changes to the code. As presented, the code sections are not in their final formats. For example, there is quite a bit of crossover and overlap within the provisions of Chapter 18.05 and the Development Standards Division 1. For the final ordinance, sections will be reorganized and combined, as deemed appropriate, and the overall organization of Title 18 may change in the final ordinance.

The Planning Commission reviewed Chapter 18.05 at the October 7 workshop but may go back and discuss proposed changes within that Chapter. It is anticipated that the Commission will

begin with reviewing the Development Standards Division 1, but there may be references back to Chapter 18.05 during this discussion.

In addition to other sections of the chapters that the Commission may wish to discuss in more detail, following are specific areas of discussion for the Planning Commission's consideration.

1.1(3) Architectural Design – building design

This subsection “encourages” variations in wall planes and roof lines, but currently provides no objective standard. Based on Planning Commission comment at the October 7 workshop, staff has proposed specific requirements for wall variations for commercial and institutional buildings with building sides of 100 feet or longer.

1.1(5) Architectural Design – building materials

At the direction of the Planning Commission at the October 7 workshop, the prohibition against “smooth-faced block or fabricated metal wall panels” as the predominant building material is deleted. Metal buildings are typical within industrial areas, and such materials are often used as part of commercial buildings. Compatibility within the context of the area in which the building is proposed should be considered. When done properly, these materials can result in attractive development.

1.1(6) Architectural Design – paint colors

This subsection is deleted, effectively removing paint color as a City-regulated portion of building design. The subsection currently states that non-residential building colors “should be muted or earth-tone in color. Bold colors shall be avoided except when used as accent trim.” Carson City’s commercial corridors have mostly developed prior to the adoption of this color standard. Before 2002, this paint color standard did not exist.

1.4 – Guest buildings

Under current zoning regulations, a “guest building” is a secondary dwelling unit on the same lot as the primary dwelling unit, “which may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation, and which is used exclusively for housing the family members of the primary residence and their non-paying guests.”

There are various requirements related to minimum lot sizes and maximum guest building sizes that may be considered for amendments by the Commission. For example, the Commission may consider removing the restrictions on the occupancy of guest buildings—thereby allowing guest building to be rented or otherwise used for non-family members—but further restrict the size of such guest buildings or the zoning districts in which that would be permitted. The Commission will go through the guest building provisions in detail at the meeting.

1.10 – Metal storage containers

Subsection 2(l) is proposed to be amended to eliminate the requirement for metal storage container Special Use Permit approvals to go back to the Planning Commission for review every 5 years. Staff proposes to require a 5-year administrative review for ongoing compliance, at which time removal of the storage container may be required if the primary use of the property has changed or the container is in violation of any of the development standards.

Section 18.05.025 and the Development Standards Division 1.10 currently prohibit the use of metal storage containers within residential zoning districts. Based on past public comments regarding this issue, comments at the October 7 Planning Commission workshop, and actual use of storage containers on residential properties in violation of the current requirements, staff

proposes to allow metal storage containers to be used in residential districts subject to several standards identified in the amended Division 1.10(3).

The primary argument to allow metal storage containers in residential districts is that the visual impacts are no different than for any other type of storage building, if the metal storage container is properly maintained and placed in accordance with the proposed standards. Detached accessory storage sheds of a similar size to storage containers are permitted in most residential zoning districts (excluding Single Family 1 Acre and larger lots) up to 15 feet in height and 5 feet from the property line. Allowing storage containers with the same requirements as other storage sheds, plus the addition of required painting and maintenance of the container, would not create additional negative impacts to adjacent properties.

Other proposed amendments

The Planning Commission may also discuss other changes proposed by staff or recommend changes that are not currently proposed.

Conclusion

Due to COVID-19 restrictions, the public has not been able to attend these workshops or meetings in person. Staff has placed the draft documents online at carson.org/title18 and have solicited comments from the public, which will be passed on to the Planning Commission and Board of Supervisors, as applicable. Any member of the public may submit comments in writing to the Planning Division. Comments can be emailed at planning@carson.org, or mailed or delivered to 108 E. Proctor St., Carson City, NV 89701.

Following is the updated tentative Title 18 workshop schedule.

- March 4, 2020: Planning Commission public workshop, Chapter 18.02 (Administration).
- July 6, 2020: Planning Commission workshop, Chapters 18.03 (Definitions) & 18.04 (Use Districts).
- August 5, 2020: Planning Commission public workshop, Chapters 18.03 & 18.04 (continued from June 30).
- September 3, 2020: Board of Supervisors – Discussion and comments on 18.02, 18.03 & 18.04.
- October 1, 2020: Board of Supervisors – Discussion and comments on 18.02, 18.03 & 18.04.
- October 7, 2020: Planning Commission workshop, Chapter 18.05 (General Provisions) and Development Standards Division 1 (Land Use and Site Design)
- **November 2, 2020: Planning Commission workshop, Chapter 18.05 (General Provisions) and Development Standards Division 1 (Land Use and Site Design)**
- December 2, 2020: Planning Commission workshop, Development Standards Division 2 (Parking)

- December 3, 2020: Board of Supervisors – Discussion and comments on Chapter 18.05 (General Provisions) and Development Standards Division 1.
- December 15, 2020: Planning Commission recommendations on 18.02-18.05 and Development Standards Division 1.
- January/February 2021: Board of Supervisors – Discussion and comments on Chapter 18.05 (General Provisions) and Development Standards Division 1 (second meeting for comments from newly elected Board members).
- TBD in 2021: Adoption of 18.02, 18.03, 18.04, 18.05 & Dev. Standards by Board of Supervisors.

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

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

Use the link below to go to the web-based Municipal Code to view the code in its entirety.

https://library.municode.com/nv/carson_city/codes/code_of_ordinances

Attachments:

- 1) Chapter 18.05, summary of proposed substantive changes
- 2) Chapter 18.05, marked with draft amendments
- 3) Chapter 18.05, “clean” version with proposed changes accepted
- 4) Division 1, summary of proposed substantive changes
- 5) Division 1, marked with draft amendments

Chapter 18.05 – General Provisions – Summary of Proposed Changes

Chapter 18.05 - GENERAL PROVISIONS

This chapter includes various provisions relating to certain uses.

City staff is proposing clerical corrections and other clarifications throughout the chapter that are not substantive to the administration of the code provisions. The purpose of this document is to summarize substantive changes that are being proposed.

18.05.010 - Parking.

~~Each use shall provide at least the minimum number of off street parking spaces required by the standards set forth in Division 2, Parking and Loading, of the development standards.]~~

This section is being deleted. Where standards such as parking requirements are contained in Title 18 Appendix, Development Standards, and no specific procedural requirements are noted, it is not necessary to have the reference to other code requirements in this chapter. Applicability and standards for parking are contained in the Development Standards, Division 2.

18.05.015 - Trash, refuse and recycled material storage.

~~Trash, refuse or recycled material storage containers are required within office, commercial, industrial or multi family districts.]~~

This section is being deleted. Applicability and standards for trash containers are contained in or should be added to the Development Standards Division 1, Land Use and Site Design.

18.05.020 - Landscaping.

~~Each use shall provide at least the minimum [required] landscaping as required by the standards set forth in Division 3 of the development standards.]~~

This section is being deleted. Applicability and standards for landscaping are contained in the Development Standards, Division 3.

18.05.025 - Temporary [~~construction~~] storage containers.

This section is being renamed to address all regulations related to storage containers. Procedural requirements from the Development Standards Division 1.10 are relocated to subsection 2, and other storage container provisions from section 18.05.030 are relocated to subsection 4.

Subsection 3 is added to allow storage containers in residential districts subject to the development standards of Division 1.10. Refer to Development Standards Division 1.10 for the proposed revisions.

18.05.030 – [~~Trailers,]~~ Manufactured homes, mobilehomes, recreational vehicles ~~+~~ and commercial coaches ~~[and storage containers]~~.

Provisions currently in this section regarding storage containers are relocated to the prior section, and the reference to storage containers is deleted in this section's title.

Prior subsection 2(b) providing for “special exceptions” to allow someone to live in an RV at a residence when providing health care for a resident is being deleted. This provision has only been used once since 2002. The “reasonable accommodation” provisions of CCMC 18.02.130 allow for some flexibility under certain circumstances for caring for persons under a hardship, so staff believes the exception in this section is not necessary.

Other provisions in this section are reorganized and combined with the prior section regarding storage containers, and 18.05.075 regarding manufactured home installation, as appropriate.

18.05.035 - Watchman's quarters.

In order to provide increased security within the industrial, commercial, agriculture and conservation reserve districts, a watchman's quarters may be provided as an accessory use under certain conditions. The requirement that there “shall be no payment of rent by the occupant of the quarters” in subject 2 is deleted. This requirement is virtually impossible to enforce and has no bearing on the use of the dwelling unit.

The requirement for a review of the watchman's quarters every 2 years is deleted in prior subparagraph 4. The paragraph continues to state that the quarters may be required to be removed at any time if it is not in compliance with the regulations, and the periodic review of the continued existence of the quarters is not necessary.

18.05.045 - Home occupation.

Specific uses that are currently listed as prohibited uses in the opening paragraph are deleted. Uses may be conducted as a home occupation as long as they follow the 15 requirements otherwise stated in this section.

Size limits of no more than 20% of the residence are removed and verbiage added stating that a home occupation must be “accessory to the use of the property as a residence.”

Requirements and limitation regarding food processing and packaging are added (subsection 14).

The prohibition regarding on-site vehicle repair is relocated from the introductory paragraph to new subsection 15.

18.05.050 - Accessory farm structures.

~~In SF5A, SF2A, SF1A and MH1A zoning districts the cumulative square footage of accessory farm structures in excess of 50% of the primary building shall be approved by the director prior to issuance of a building permit. Agriculture (A) and conservation reserve (CR) zoned parcels do not require a primary building.]~~

This section is deleted, which removes the exemption for “accessory farm structures” from being applied to maximum permitted size for accessory structures on residential properties. “Farm structure” is defined and is a permitted use in the Agriculture and Conservation Reserve zoning districts. Accessory structures in residential districts are limited in size (see Section 18.05.055, below). Currently, there is virtually no distinction between “accessory structure” and “accessory farm structure.” Therefore, staff recommends that “accessory farm structure” be deleted and addressed as an “assessor structure” in accordance with revised provisions below.

18.05.055 - Accessory structures.

The permitted size of detached accessory structures that may have a reduced setback in the SF6, MH6, SF12 and MH12 zoning district is increased from 120 square feet to 200 square feet. This change to 200 square feet coincides with the size of storage structure that is permitted to be constructed without a building permit, per the Building Code. (18.05.055[2])

The following changes are proposed to increase the permitted size of accessory structures relative to the size of the main residence:

(See chart on the following page)

Chapter 18.05 – General Provisions – Summary of Proposed Changes

Zoning Districts	Accessory Structure Size* Current Regulation*	Accessory Structure Size* Proposed Regulation
SF6, MH6, SF12, MH12, SF21	More than 50% and not more than 75%: <u>Administrative Permit</u> (public hearing) required	Allow up to 75% or a minimum of 500 s.f., whichever is more, <u>by-right</u> , with building permit (as applicable)
SF6, MH6, SF12, MH12, SF21	More than 75% and not more than 100%: <u>Special Use Permit</u> required	Require an <u>Administrative Permit</u> (public hearing) for accessory structures between 75%-100% if over 500 s.f.
SF6, MH6, SF12, MH12, SF21	More than 100%: <u>Special Use Permit</u> required	Require a Special Use Permit (public hearing) for accessory structures between 75%-100% if over 500 s.f.
SF1A, MH1A, SF2A, SF5A	More than 50% and not more than 75%: <u>Administrative Permit</u> (public hearing) required	Allow up to 75% or a minimum of 1,000 s.f., whichever is more, <u>by-right</u> , with building permit (as applicable)
SF1A, MH1A, SF2A, SF5A	More than 75% and not more than 100%: <u>Special Use Permit</u> required	Require an <u>Administrative Permit</u> (public hearing) for accessory structures between 75%-100% if over 1,000 s.f.
SF1A, MH1A, SF2A, SF5A	More than 100%: <u>Special Use Permit</u> required	Require a Special Use Permit (public hearing) for accessory structures between 75%-100% if over 1,000 s.f.
SF21, SF1A, MH1A, SF2A, SF5A	More than 5% of total lot area: <u>Special Use Permit</u> required	No limit relative to lot area; rely on total size relative to main residence
All Residential Districts	Detached structure with more than 5 garage bays: <u>Special Use Permit</u> required	No limit on the number of garage bays; rely on total size of structure relative to main residence

Notes:

* Accessory structure size includes all detached accessory structures combined compared to the size of the main residence, which includes the area of an attached garage but excludes basements.

Setback requirements for accessory structures remain the same.

Chapter 18.05 – General Provisions

[This draft of proposed amendments to Chapter 18.05 contains technical and clerical corrections but is primarily intended to identify substantive code changes for consideration. The text may be reformatted prior to being included in a final ordinance for adoption. Staff comments are noted throughout in bracketed, italicized text, where necessary to explain proposed amendments. Changes made since the Planning Commission's review of this Chapter on October 7, 2020, are shown in Track Changes format (like this sentence).]

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- 18.05.030 –Manufactured homes, mobilehomes, recreational vehicles and commercial coaches.
- 18.05.035 - Watchman's quarters.
- 18.05.040 - Heliports.
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- 18.05.050 - Accessory farm structures.
- 18.05.055 - Accessory structures.
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Sections:

18.05.005 - Applicability.

The provisions of this chapter apply in all [land use] **zoning** districts to every building erected and land use established after the effective date of the ordinance codified in this chapter unless indicated otherwise for a particular district. Process-oriented standards are contained in this section. Design-oriented standards are contained in the development standards which are parallel in authority to this section.

(Ord. 2001-23 § 2 (part), 2001).

[18.05.010 – Parking.]

~~Each use shall provide at least the minimum number of off street parking spaces required by the standards set forth in Division 2, Parking and Loading, of the development standards.] [Where standards are contained in Title 18 Appendix, Development Standards, and no specific procedural requirements are noted, sections may be deleted. It is not necessary to have the reference to other code requirements in this chapter. Applicability and standards for parking are contained in or should be added to the Development Standards, Division 2.]~~

(Ord. 2001-23 § 2 (part), 2001).

[18.05.015 – Trash, refuse and recycled material storage.]

~~Trash, refuse or recycled material storage containers are required within office, commercial, industrial or multi-family districts.] [Applicability and standards for trash containers are contained in or should be added to the Development Standards.]~~

(Ord. 2001-23 § 2 (part), 2001).

[18.05.020 – Landscaping.

Each use shall provide at least the minimum [required] landscaping as required by the standards set forth in Division 3 of the development standards.] [Applicability and standards for landscaping are contained in or should be added to the Development Standards, Division 3.]
(Ord. 2001-23 § 2 (part), 2001).

18.05.025 - [Temporary construction storage] Storage containers.

1. Temporary construction containers. Temporary construction containers are permitted [by temporary use permit or] in conjunction with an active building permit in all zoning districts [within Carson City]. Temporary construction containers must be directly associated with construction activity and must be shown on the site plan submitted for a building permit. Up to 3 containers per construction site may be utilized to house fixtures, materials or merchandise pertaining to the construction [per construction site]. On job sites exceeding 5 acres or 50,000 square feet of building area, the number of temporary construction containers may be increased at the discretion of the director. Upon completion of the project and prior to issuance of a final certificate of occupancy, all construction containers must be removed from the construction site.

2. Except for temporary-storage containers used in conjunction with a permit for construction containers, storage containers or other similar enclosures are allowed in the commercial, industrial, and public zoning districts, subject to the following requirements:

- (a) Storage containers may be utilized on a temporary basis, for a maximum of 90 days, once in any calendar year, subject to the approval of the Director;
- (b) Within any industrial zoning district, the use of metal storage containers for more than 90 days within any calendar year is subject to the approval of the Director;
- (c) Within the commercial or public zoning districts, excluding the neighborhood business (NB) zoning district, the use of metal storage containers for more than 90 days within any calendar year requires approval of a special use permit. No metal storage containers are allowed in the neighborhood business (NB) zoning district; and
- (d) The storage containers must comply with the provisions of Division 1 (Storage Containers) of the Development Standards.

[The above procedural requirements for storage containers are relocated from the Development Standards to this section.]

3. Metal storage containers may be used in residential zoning districts subject to the development standards contained in the Title 18 Appendix, Division 1.10.

4. Items prohibited to be used for storage. Except as otherwise provided in this title, automobiles, recreational vehicles, tents, train cars, semi-truck trailers, passenger coaches, buses, streetcar bodies or similar enclosures or rolling stock may not be used for storage or occupied for living or sleeping purposes in any zoning district.

[Section 4 above relocated from 18.05.030, below.]

(Ord. 2005-25 § 1, 2005: Ord. 2001-23 § 2 (part), 2001).

18.05.030 – [Trailers,] Manufactured homes, mobilehomes, recreational vehicles [+] and commercial coaches [and storage containers].

[1. Except as otherwise provided in this section:

- a. No automobile, recreational vehicle, tent, train, boxcar, semi-truck trailer, passenger coach, bus, streetcar body or similar enclosure may be used or erected for storage or occupied for living or sleeping purposes in any use district.
- b. Tents, trains, boxcars, semi-truck trailers, passenger coaches, busses, streetcar bodies or similar enclosures and rolling stock are prohibited in all residential zoning districts.]

[Relocated to 18.05.030, above.]

[2.] 1. A manufactured home or mobilehome may be used:

(a) For [a. A mobilehome may be used for] permanent living or sleeping quarters [only] in a manufactured home or mobilehome park or a manufactured home or mobilehome subdivision [; and for temporary living quarters, where authorized by the commission.] ;

(b) As living quarters during the construction of a residence on the same parcel, limited to the duration of the valid building permit for the main residence;

(c) As a temporary living quarters for miners or stockmen in Conservation Reserve and Agricultural zoning districts for up to 1 year upon approval by the Director, and subject to annual review and renewal by the Director; or

(d) As living quarters in any single-family residential zoning district subject to the following requirements:

(1) The placement of a manufactured home must meet the requirements of this section and the requirements of Division 1 of the Development Standards.

(2) And application for Manufactured Home in Single Family Zoning must be submitted to the Planning Division ~~and approved concurrently with or~~ prior to an application for a building permit being submitted. The following must be provided with the application:

(I) Written and photographic documentation showing that the manufactured home has siding, roof pitch and roofing materials consistent with what is used on at least 51 percent of other single-family residences within 300 feet of the property on which the manufactured home is to be placed.

(II) Documentation showing that the foundation of the manufactured home will be masked architecturally with materials used by at least 51 percent of other residential structures within 300 feet of the property on which the manufactured home is to be placed.

(III) A copy of the purchase agreement, with elevations and floor plans of the unit.

(IV) The application fee.

(V) An attestation by the owner of the lot that the placement complies with all covenants, conditions and restrictions placed on the lot and that the lot is not located within a historic district.

[b.] 2. A recreational vehicle may be used for temporary living or sleeping quarters only in a recreational vehicle park or where ~~otherwise~~ permitted by [Title 10 [and] ~~or~~ Title 13 of] the Carson City Municipal Code. [Parking lots are not considered recreational vehicle parks.]

[e. Special Exception: Where approved by the director pursuant to this section and requirements of NRS 278.315, a recreational vehicle may be used for temporary occupancy accessory to a single-family residence for the care of a person who has been documented as infirm, subject to the following conditions:

(1) Submittal of an application on a form approved by the director, by a property owner desiring such a use.

(2) Submittal, in writing, of the results of an independent medical examination, of the infirm person, conducted by a physician licensed to practice in Nevada, who has not treated the infirm person in the last 12 months prior to the date of the application, establishing, to the satisfaction of the director, that the infirm person is in need of care which can be facilitated by the placement of a recreational vehicle on a site under this section and that this section provides a temporary living location for a caregiver of or a person with a medically certifiable, handicapping, debilitating, or end of life issue that constitutes a serious infirmity.

(3) A recreational vehicle used for this purpose must be self contained or connected to city utilities pursuant to subsection (5) below, and must have been manufactured within 15 years prior to the application unless otherwise approved by the director.

(4) A recreational vehicle used for this purpose must meet all standards established by the state of Nevada for such recreational vehicles and must be placed in the side or rear yard of a lot providing screening, from the rights of way, easements and adjacent properties, providing fencing and screening to facilitate, preserve and protect privacy of adjacent neighbors.

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The subject parcel must be a minimum of 12,000 square feet and the self contained travel trailer or recreational vehicle must meet all yard setback requirements as required by Carson City Municipal Code for the applicable zoning district or by this section and must be placed in the side or rear yard of the property. The rear yard setback requirement, for applications under this section, in the single family 6,000 (SF6) and mobilehome 6,000 (MH6) zoning districts shall be a minimum of 20 feet. The director, on a case by case basis, may vary the lot size requirement, to a minimum of 6,000 square feet, based upon additional information submitted by the applicant requesting a variance to land area and without any opposition by the adjacent neighbors.

(5) All utility connections for the recreational vehicle shall be accomplished to the satisfaction of the Carson City building and safety division and public works division prior to occupancy. No generators are allowed to be utilized.

(6) Any recreational vehicle used for the purposes described in this section must be equipped with a functioning smoke detector, and if applicable, a propane gas detector. These detectors must be in compliance with the state of Nevada Manufactured Housing Division pursuant to Nevada Revised Statutes 489.701.

(7) Upon receipt of an application for the use described in this section, the director shall give written notice of the application pursuant to NRS 278.315. The notice shall contain a description of the proposed use, and include time, date and location of the hearing at which the director will consider the application.

(8) At the hearing conducted to consider the application, the director shall receive and consider public comment, whether written or oral, in rendering his decision.

(9) The purpose of the use described in this section is to mitigate a hardship resulting from a documented infirmity. Financial hardship is not itself a sufficient basis for approving said use.

(10) The decision of the director may be appealed as provided in Carson City Municipal Code Title 18.

(11) The director's approval for the use of the self contained travel trailer or recreational vehicle unit can be authorized for one year and upon submittal of an extension request prior to the first years expiration, may be continued. Should a change occur in the condition of the infirm for whom the care is being provided, or if the infirm ceases to reside at the subject property, or if the required documentation is not submitted in a timely fashion, then the authorization for the use of the unit for the infirm will be automatically cancelled. Upon cancellation of the authorization, the temporary unit must be removed from the site within 30 days after notification of the cancellation by the planning division and utility disconnection shall be accomplished to the satisfaction of the Carson City building and safety division and public works division.]

[This “special exceptions” section has only been used once since 2002 and is recommended to be deleted. The “reasonable accommodation” provisions of CCMC 18.02.130 allow for some flexibility under certain circumstances for caring for persons under a hardship.]

d. A storage container or other similar enclosure is only allowed in the industrial districts, pursuant to Division 1 (Storage Containers) of the Development Standards.

e. Parking lots are not considered recreational vehicle parks.]

[The provisions of paragraph “d” are relocated to 18.05.030, above. It is not necessary in paragraph “e” to state things that are not considered an RV park since an RV park is defined.]

3. A commercial coach may be used [for] as an office with the approval of a special use permit. A special use permit is not required when a commercial coach is used:

[a.] (a) As a construction office only [at or] within 100 feet of the site of a construction project and for the duration of the building permit. The applicant must obtain all required building permits for the proposed construction prior to the placement of a construction office [. Where applicable, sewer/septic and water/well must be in service prior to use of the construction office. The placement of the construction office must meet applicable setback requirements. The construction office must not be utilized as living quarters. This authorization is valid for 1 year, but may be extended by the director for 1

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additional year upon the granting of a building permit renewal. The request for the additional time must be submitted prior to the expiration of the original permit time frame];

[b.] (b) As a temporary office space when accessory to an established business [and in accordance with current adopted standards] and:

(1) It will not be used for living quarters; [.]

(2) The applicant must obtain all required building permits for the proposed construction prior to the placement of the temporary [office] commercial coach; [.]

(3) The authorization is only effective until permanent office space can be constructed and in no [even] event longer than 1 year; and [.]

(4) The placement of the temporary [office] commercial coach must meet all setback requirements. [, and]

(5) The authorization for the temporary office coach may be revoked by the director for breach of any of the above conditions.

4. A mobilehome may be used:

a. As living quarters when the applicant is constructing a residence on the same parcel;

b. As a temporary living quarters for miners or stockmen in conservation reserve and agricultural districts. Placement of the mobilehome must meet the requirements of the fire, planning and community development and other relevant departments. Authorization for this use is valid for 1 year from date of approval and may receive a single 1 year renewal by the director.]

[5.] 4. Storage of unoccupied manufactured homes, mobilehomes, recreational vehicles and commercial coaches.

(a) The storage of an unoccupied manufactured home, mobilehome, commercial coach or recreational vehicle is permitted only on [appropriate commercial or industrial zoned land] property zoned for outside storage.

(b) In addition to the permitted locations for recreational storage above, the owner of a recreational vehicle may store their recreational vehicle in residential zoning districts only on the property that they own or on which they reside. [Storage of a recreational vehicle in an unoccupied state will also be permitted on the land of the legal owner of the recreational vehicle in any residential zone.]

(Ord. 2007-35 § 1, 2007; Ord. 2004-31 § 1, 2004; Ord. 2004-2 § 1, 2004; Ord. 2001-23 § 2 (part), 2001).

[Provisions in this section were reorganized and combined with the prior section, as appropriate.]

18.05.035 - Watchman's quarters.

In order to provide increased security within the industrial, commercial, agriculture and conservation reserve districts, a watchman's quarters may be provided as an accessory use under the following conditions:

1. The watchman's quarters must clearly be accessory to the main use;

[2. There shall be no payment of rent by the occupant of the quarters;]

[3.] 2. The quarters are limited to 1 family; [.]

[3.] 4. The quarters will be reviewed every 2 years for compliance with this code by the director and if no longer necessary, or not in compliance, the quarters will be removed or corrected.] The quarters may be required to be removed [at anytime] if not in compliance with any conditions of approval; [.]

[5.] 4. Additional conditions of approval may be required by the director to insure compatibility with adjacent uses; and [.]

[6.] 5. Watchman's quarters can be a manufactured home or a site constructed home. A recreational vehicle [shall not be allowed] is not allowed to be used as a watchman's quarters. (Ord. 2004-20 § 7, 2004; Ord. 2001-23 § 2 (part), 2001).

18.05.040 - Heliports.

1. [No area of land, water, parking lot, rooftop or other site or structure within Carson City will be used as a heliport without approval of a special use permit issued in accordance with the provisions of this chapter.] **Heliports may be approved as an accessory use to a primary commercial, industrial or public use through approval of a Special Use Permit.**

2. **Heliports are only allowed as a primary use in zoning districts as established in CCMC chapter 18.04, Zoning Districts.**

[2. As used in this chapter, "heliport" means any area of land, water, parking lot, rooftop or other site or structure which is regularly or permanently used for the landing and takeoff of helicopters or other rotary wing aircraft.] *[Definition in CCMC 18.03.]*

(Ord. 2001-23 § 2 (part), 2001).

18.05.045 - Home occupation.

~~Uses which shall not be permitted as home occupations include barber and beauty shops, food processing or packaging, real estate and law offices, restaurants, cabinet shops, adult entertainment businesses, kennels (except for certified training of three (3) or fewer service animals), vehicle repair or similar uses.~~

All home occupations shall be subject to and must comply with the following provisions of this Section:

1. Business license requirements. All home occupations must obtain a Carson City business license and meet the requirements of this Section.
2. Sale of merchandise. Sale of goods, samples, materials, equipment or other objects on the premises is not permitted. Home occupations shall not conduct business in person with clients at the home address, with the exception of federally licensed gun dealers, required by federal regulations to conduct firearm sales at their home location.
3. Size Limits. ~~No more than twenty percent (20%) of the total ground floor area of the dwelling and accessory structure may be used for home occupation.~~ **A home occupation must be accessory to the use of the property as a residence.**
4. Employees. No on-site office staff or business personnel shall be permitted in any home occupation unless the employees are members of the resident family and reside on the premises.
5. Character. The characteristics of the structure shall not be altered, nor shall the occupation within the dwellings be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting or by signs, or the emission sounds, noises, dust, odors, fumes, smoke, electrical disturbance or vibrations, or disturbs the peace and general welfare of the area.
6. Traffic. Pedestrian and vehicular traffic shall be limited to that normally associated with residential districts. Deliveries from commercial suppliers may not be made more than once each ~~week~~ **day** and the deliveries shall not restrict traffic circulation.
7. There shall be no outside storage of materials or equipment; no storage of toxic or hazardous materials, including ammunition and gunpowder; not shall merchandise be visible from outside the dwelling.
8. Location. The home occupation shall be confined within the main building and/or accessory structure as a secondary use of the residential use. When conducted in a garage, the home occupation shall not permanently eliminate the use of the garage as a parking space for a car, nor shall the bay door be open while the home occupation is conducted within the garage.
9. Use of facilities and utilities. The use of utilities and community facilities shall be limited to that normally associated with the use of the property for residential purposes.
10. Advertising. There must not be any public advertising which calls attention to the fact that the dwelling is being used for business purposes. Telephone listings, business cards, or any other advertising of the business, shall not include the dwelling address. The name, telephone, and purpose of the home occupation may be ~~advertising on not more than one~~ **advertised on a** vehicle which is

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operated by the resident or residents of the dwelling in conjunction with the business. The home address may appear on letterhead and invoices when the home address is also the business address.

11. Electromagnetic interference. Electrical or mechanical equipment which creates video or audio interference in customary residential electrical appliances or causes fluctuations in line voltage outside the dwelling unit is prohibited.

12. Fire safety. Activities conducted and equipment or material used or stored shall not adversely change the fire safety of the premises.

13. Parking. No parking or placement of commercial vehicles such as trucks, trailers, equipment or materials except [~~one (1)~~] 1 panel van or pickup truck, when used for personal transportation.

14. Food processing or packaging. The processing or packaging of food products is prohibited except as expressly permitted by NRS or Carson City health department regulations.

15. Vehicle repair. On-site repair and maintenance of vehicles not owned by the person conducting the home occupation is prohibited.

(Ord. 2004-20 § 8, 2004; Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-33, § X, 9-4-2008](#))

[18.05.050 – Accessory farm structures.]

~~In SF5A, SF2A, SF1A and MH1A zoning districts the cumulative square footage of accessory farm structures in excess of 50% of the primary building shall be approved by the director prior to issuance of a building permit. Agriculture (A) and conservation reserve (CR) zoned parcels do not require a primary building.]~~

(Ord. 2004-20 § 9, 2004; Ord. 2001-23 § 2 (part), 2001).

[Area exemption for “accessory farm structures” deleted. See “accessory structures” or “farm structures” for applicable definitions and regulations.]

18.05.055 - Accessory structures.

1. It shall be unlawful to construct, erect or locate in any residential district, private garages or other accessory buildings without a [~~permissive main building~~] **permitted primary residence**, [~~except:~~] **except that** a temporary building may be constructed and occupied [~~as a legal use~~] pending the construction of a permanent [~~use~~] **residence** providing that no permit shall be issued for such temporary structure unless a permit also be issued at the same time for the permanent [~~building~~] **residence**. If it be proposed to convert said temporary structure to a [~~permissive~~] **permitted** accessory use upon completion of the main structure, said conversion shall occur upon completion of the final structure or be removed at that time or within a period of [~~one (1)~~] 1 year from the date of issuance of original permit.

2. The following setbacks are required for accessory structures in all residential zoning districts:

<u>Zoning district</u>	<u>Accessory structure size</u>	<u>Setbacks¹</u>
<u>SF6, MH6, SF12, MH12, SF21</u>	<u>120-200 square feet or less in area and not more than 15 feet in overall height</u>	<u>Rear: 3 feet²</u> <u>Side: 3 feet²</u> <u>Front and Street Side: Per zoning³</u>
	<u>More than 120-200 square feet and not more than 400 square feet, and not more than 15 feet in overall height</u>	<u>Rear: 5 feet²</u> <u>Side: 5 feet²</u> <u>Front and Street Side: Per zoning³</u>
	<u>Any size, more than 15 feet in overall height</u>	<u>Rear: Per zoning³</u> <u>Side: Per zoning³</u> <u>Front and Street Side: Per zoning³</u>

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<u>SF6, MH6, SF12, MH12, SF21</u>	<u>More than 400 square feet in area</u>	<u>Rear: Per zoning ²³</u> <u>Side: Per zoning ²³</u> <u>Front and Street Side: Per zoning ²³</u>
<u>SF1A, MH1A, SF2A, SF5A</u>	<u>Any size, any height</u>	<u>Rear: Per zoning ²³</u> <u>Side: Per zoning ²³</u> <u>Front and Street Side: Per zoning ²³</u>

Footnotes:

(1) If an accessory building is connected to the main building by a breezeway or other roof structure open to the outside, each structure shall meet full yard setback requirements for the zoning district in which the property is located.

(2) Includes eaves and other building projections.

(3) See CCMC Chapter 18.04 required setback tables.

3. The following process-related regulations apply to accessory structures in all residential zoning districts:

<u>Zoning district</u>	<u>Accessory structure size ¹</u>	<u>Required Approval ²</u>
<u>SF6, MH6, SF12, MH12, SF21</u>	<u>Not more than 500 square feet or 75% of the primary structure ³, whichever is larger</u>	<u>Building permit</u>
	<u>More than 500 square feet, and more than 75% but not more than 100% of the primary structure</u>	<u>Administrative permit</u>
	<u>More than 500 square feet and more than 100% of the primary structure</u>	<u>Special use permit</u>
<u>SF1A, MH1A, SF2A, SF5A</u>	<u>Not more than 1,000 square feet or 75% of the primary structure, whichever is larger</u>	<u>Building permit</u>
	<u>More than 1,000 square feet, and more than 75% but not more than 100% of the primary structure</u>	<u>Administrative permit</u>
	<u>More than 1,000 square feet and more than 100% of the primary structure</u>	<u>Special use permit</u>

Footnotes:

(1) Accessory structure size includes the size of all detached accessory structures combined, excluding detached trellis structures and excluding attached patio covers and breezeways that are not enclosed.

(2) All structures over 200 square feet require a building permit in addition to any required discretionary permit. Structures 200 square feet or smaller that are used exclusively for storage may be exempt from the requirement to obtain a building permit. See Title 15 for building permit requirements.

(3) Primary structure size includes the total floor area of the main residence, excluding basement, plus the area of any attached garage space.

[2. A detached accessory structure not exceeding 120 square feet in area and not exceeding fifteen (15) feet in overall height may be built in all residential districts except SF5A, SF2A, SF1A and MH1A within required side and rear yard setbacks provided such structure, eaves and other projections are at least three (3) feet from property line, and the accessory structure is allowed in the zoning district where it is proposed.

3. A detached accessory structure one hundred twenty (120) square feet in area up to four hundred (400) square feet in area and not exceeding fifteen (15) feet in overall height may be built in all residential districts except SF5A, SF2A, SF1A and MH1A, within required side and rear yard setbacks,

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~~provided such structure, eaves and other projections are at least five (5) feet from property lines, and the accessory structure is allowed in the zoning district where it is proposed. All accessory structures exceeding four hundred (400) square feet in area in all residential districts must meet standard zoning setback requirements.~~

~~4. On a corner lot facing two (2) streets, no accessory building shall be erected so as to encroach upon the front or street side yard setbacks.~~

~~5. If an accessory building is connected to the main building by a breezeway or other structure, which is not habitable space as defined by the Building Code currently adopted by Carson City, each structure shall meet full yard setback requirements for that district and shall be considered an accessory building and a main structure for calculation of square footage of accessory structures.~~

~~6. A detached accessory structure shall be located not closer to any other building on the same or adjoining lot than allowed by the Building Code and Fire Code as currently adopted by Carson City.~~

~~7. The cumulative square footage of the accessory building(s) or accessory structure(s) is limited to fifty percent (50%) of the total square footage of the primary building excluding the basement. If the cumulative square footage of the accessory building(s) or accessory structure(s) is more than fifty percent (50%) and not greater than seventy five percent (75%) of the total square footage of the primary building excluding the basement approval by administrative permit is required. If the cumulative square footage of the accessory building(s) or accessory structure(s) exceeds seventy five percent (75%) of the total square footage of the primary building excluding the basement approval by special use permit is required. Accessory farm building(s) or structure(s) may be excluded from additional review as provided under Title 18.05.050 Accessory Farm Structures.~~

~~8. Accessory structure(s) shall not exceed five percent (5%) of the parcel size on parcels twenty-one thousand (21,000) square feet or larger, unless approved prior to issuance of a building permit by Special Use Permit.~~

~~9. Accessory Farm Structures exceeding five percent (5%) of the parcel size on parcels zoned one (1) acre or larger may be exempted under Title 18.05.050 Accessory Farm Structures from Special Use Permit approval requirements.~~

~~10. A maximum of five (5) parking bays within detached accessory structure(s) are allowed on the same lot unless approved prior to issuance of a building permit by approval of a Special Use Permit.] (Ord. 2004-6 § 12, 2006: Ord. 2004-20 § 10, 2004: Ord. 2001-23 § 2 (part), 2001).~~

([Ord. No. 2008-37, § III, 12-4-2008](#))

[The primary purpose of changes to this section are for reorganization and clarification. Substantive changes are: 1) increasing the permitted size of accessory structures for various levels of approval; 2) removal of the Special Use Permit requirement for accessory structures exceeding 5% in aggregate of the parcel area, which is generally covered through the aggregate accessory dwelling size limitations; and 3) the removal of the requirement for a Special Use Permit for garages with more than 5 parking bays, which is also generally covered under the aggregate size limitations.]

[18.05.060 – Accessory use.]

~~When the term "accessory use" refers to the sale of used items, the accessory use must not exceed 40 percent of the gross floor area or 40 percent of the stock. The term "accessory use" is defined in Title 18 (Definitions).] [Definition moved to 18.03 Definitions.] (Ord. 2001-23 § 2 (part), 2001).~~

18.05.065 - Uses required to be within a structure.

~~Except as otherwise provided in title 18 [In all office, commercial and industrial districts], all uses must be conducted within a fully enclosed structure **within all office, commercial and industrial zoning districts. Automobile** [, except that automobile] sales, boat sales, large equipment sales, Christmas trees, pumpkins, or other large equipment for sale or rent, may be displayed outdoors by sales or rental businesses, or businesses determined by the Director to be of a similar nature or circumstance. (Ord. 2001-23 § 2 (part), 2001).~~

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(Ord. No. 2008-33, § XI, 9-4-2008)

[18.05.075 – Manufactured home installation within a single family zoning district.]

1. The placement of a manufactured home in accordance with this section must apply under the requirements of this chapter and Division 1 of the development standards.
2. For the purpose of this chapter, the term "primarily" shall mean "51 percent" and the term "immediate vicinity" shall mean "within 300 feet" of the subject parcel, excluding commercial, multi-family and industrial development.
3. The owner/owner's agent shall satisfy the requirements of providing written and photographic documentation indicating the manufactured home has siding and roof pitch/slope and covering consistent with what is primarily used in the immediate vicinity.
4. The owner/owner's agent shall satisfy the requirements of providing documentation indicating that the foundation of the manufactured home will be masked architecturally with materials primarily used by other structures in the immediate vicinity.
5. The owner/owner's agent shall provide a copy of the purchase agreement, with elevations and floor plans of the unit including proper dimensions.
6. The owner/owner's agent shall provide the appropriate fee for the pre-permit submittal.
7. The placement shall comply with all covenants, conditions and restrictions (CC&R's) of the subdivision/PUD where the manufactured home is proposed to be located.
 - a. The owner/owner's agent shall provide a copy of CC&R's or written documentation of the nonexistence of CC&R's within the subject area.
8. The owner/owner's agent shall arrange for a pre-placement inspection appointment prior to placement of the manufactured home on the subject site.]

(Ord. 2001-23 § 2 (part), 2001).

[Moved to 18.05.030 (Manufactured homes, mobile homes and recreational vehicles.)]

18.05.080 - Private use wind energy conversion systems.

To balance the need for clean, renewable energy resources against the protection of the health, safety and welfare of the community, the purpose of this section is to regulate private use wind energy conversion systems (WECS) for the production of electricity for use on the subject site and for net metering through the power company.

[18.05.080 - Private use wind energy conversion systems.] [Definitions are in 18.03 Definitions.]

a. **Private use wind energy conversion Systems (WECS).]** (a) A private use wind energy conversion system is considered an accessory use in all zoning districts. [consists of a wind turbine, tower, and associated control or conversion electronics for the purpose of providing electrical power to a lawful principle use. A system having a rated capacity of ten (10) kilowatts (kW) or less for residential use or one hundred (100) kW or less for non-residential uses shall be considered a private system for the purposes of these regulations. Not more than one (1) machine shall be allowed per parcel of land when the size of the parcel is less than one (1) acre in size. WECS are considered accessory uses as stated in CCMC 18.03.010 (Words and Terms Defined), Accessory Building or Accessory Structure and Accessory Use, and are allowed in all zoning districts.]

b. **Wind Machine.** The individual component of a wind energy conversion system that converts kinetic energy from the wind into electrical energy, independent of the electrical conductors, electrical storage system, electrical metering, or electrical inverters. This term shall include the towers or supporting structures.

c. **Building Code(s).** All codes, ordinances, policies and procedures, and standards adopted and enforced by the Carson City Building Division.

d. **Fire Code(s).** All codes, ordinances, policies and procedures, and standards adopted and enforced by the Carson City Fire Department.

e. **FAA.** The use of this acronym shall denote the Federal Aviation Administration or any other applicable authority that regulates air safety within the Carson City jurisdiction.

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~~f. Private use wind energy conversion systems shall be allowed as accessory uses in all public zoning districts without the requirement of special use permit approval provided the system meets all other requirements of this section.~~

~~g.] (b) All proposed private use wind energy conversion systems located within the Carson City Historic District must receive review and approval from the Historic Resources Commission, in addition to any other required approvals, prior to submission of a building permit.~~

~~[2)] 2. Standards. All wind energy conversion systems are subject to and must comply with the following provisions [ef this section]:~~

~~[a.] (a) Location. A minimum parcel size of [one (1)] 1 acre is required for the placement of any horizontal axial wind turbine. Vertical axial wind turbines are permitted on any parcel. No part of a wind energy conversion system shall be located within or over drainage, utility or other established easements; [-]~~

~~[b.] (b) Number per parcel. A maximum of [one (1)] 1 wind machine per parcel is permitted on parcels less than [one (1)] 1 acre in size; a maximum of [one (1)] 1 wind machine per acre is permitted on parcels greater than [one (1)] 1 acre in size; [-]~~

~~[e.] (c) Setbacks. Minimum setbacks for private use wind machines shall be:~~

~~[i)] (1) A minimum of 1.1 times the total extended height from the project property lines adjacent to a residential, conservation reserve or agricultural zoning district; [-]~~

~~[ii)] (2) Guy wire anchors may not extend closer than [ten (10)] 10 feet from any property line; [-]~~

~~[iii)] (3) A [ten foot] 10-foot minimum setback from any part of the machine, rotors or guy wires to the property line of any other non-residential zoning district; and [-]~~

~~[iv)] (4) Wind machines [shall] may not be located within the front yard or street-side yard setback area on any parcel within a residential zoning district; and [nor within the street side setback of any parcel of land in residential zoning districts.]~~

~~[d.] (d) Height. The total extended height of a wind energy conversion system must not exceed the maximum height allowed for a structure in the zoning district in which the system is located unless additional height is permitted by approval of a special use permit. [, unless a special use permit is issued.]~~

~~[i)] (1) Tower height shall mean the height above adjacent grade of the fixed portion of the tower, excluding the wind turbine itself.~~

~~[ii)] (2) Total extended height shall mean the height above adjacent grade to a blade tip at its highest point of travel and including any other portion of the wind energy conversion system; and [-]~~

~~[e.] (e) Lighting. Wind system towers shall not be artificially lighted unless required, in writing, by the Federal Aviation Administration (FAA) or other applicable authority that regulates air safety. [Where the FAA requires lighting] When lighting of the tower is required, the lighting shall be the lowest intensity allowable under FAA regulations; the fixtures shall be shielded and directed to the greatest extent possible to minimize glare and visibility from the ground; and no strobe lighting shall be permitted [-] unless expressly required by the FAA; and [-]~~

~~[f.] (f) Access. All wind machine towers must comply with the following provisions:~~

~~[i)] (1) The tower shall be designed and installed so that there shall be no exterior step bolts or a ladder on the tower readily accessible to the public for a minimum height of [twelve (12)] 12 feet above the ground. For lattice or guyed towers, sheets of metal or wood or other barrier shall be fastened to the bottom tower section such that it cannot readily be climbed; and~~

~~[ii)] (2) All ground-mounted electrical and control equipment shall be labeled or secured to prevent unauthorized access; and [-]~~

~~[g.] (g) Rotor Safety. Each wind machine shall be equipped with both manual and automatic controls to limit the rotational speed of the blade within the design limits of the rotor. An external, manual shut-off switch shall be included with the installation. The minimum distance between the ground and any protruding blades utilized on a private wind machine shall be [ten (10)] 10 feet as measured at the [lowest] closest point of the arc of the blades; and [-]~~

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[h.] **(h)** Noise. All wind machines shall comply with the noise requirements in this section. These levels, however, may be exceeded during short-term events such as utility outages and severe wind storms. A manufacturer's sound report shall be required with a building permit application.

[i.] **(1)** No wind machine or combination of wind machines on a single parcel shall create noise that exceeds a maximum of [twenty five (25)] **25** decibels (dBA) at any property line where the property on which the wind machine is located or the abutting property is [one (1)] **1** acre or less or a maximum of [fifty (50) decibels (dBA)] **50 dBA** at any other property line. Measurement of sound levels shall not be adjusted for, or averaged with, non-operating periods. Any wind [machine(s)] **machine** exceeding these **noise** levels shall immediately cease operation upon notification by Carson City and may not resume operation until the noise levels have been reduced in compliance with the required standards and verified by an independent third party inspector, approved by Carson City, at the property owner's expense. Upon review and acceptance of the [third party] **third-party** noise level report, Carson City will allow operation of the affected wind [machine(s)] **machine**. [Wind energy conversion system(s) unable to comply with these noise level restrictions shall be shut down immediately and removed upon notification by Carson City, after a period established by Carson City.]

[ii.] **(2)** Sound below [twenty (20)] **20** Hertz. No wind machine or combination of wind machines shall be operated so that impulsive sound below [twenty (20)] **20** Hertz adversely affects the habitability or use of any off-site dwelling unit, hospital, school, library or nursing home; **and** [-]

[i.] **(i)** Aesthetics and Maintenance.

[i.] **(1)** Appearance. Wind machines, unless subject to any applicable standards of the FAA, shall be a non-reflective, non-obtrusive color such as tan, sand, gray, black or similar colors. Galvanized steel or metal is acceptable for the support structures. Any painting or coating shall be kept in good repair for the life of the wind machine. [In addition, any changes to the approved color shall result in notification by Carson City that the affected wind machine(s) shall cease operation until a color correction has been made. If the affected wind machine(s) are not repainted, using an approved color, within the period established by Carson City, the owner shall remove the affected Wind Energy Conversion System(s).]

[ii.] **(2)** Electrical Wires. All electrical wires leading from the tower to electrical control facilities shall be located underground.

[iii.] **(3)** Maintenance. Wind machines shall be maintained in good repair, as recommended by the manufacturer's scheduled maintenance or industry standards, and shall be free from rust; **and** [-]

[j.] **(i)** Signs/Labels. The only advertising sign allowed on the wind machine shall be a manufacturer's label, not exceeding [one (1)] **1** square foot in size, located on the generator housing; **and** [-]

[k.] **(k)** Compliance with FAA Regulations. All wind machines shall comply with applicable FAA regulations, including any necessary approvals for installations; **and** [-]

[l.] **(l)** Ice Throw. The potential ice throw or ice shedding from the proposed wind machine shall not cross the property lines of the site; **and** [-]

[m.] **(m)** Certified Safe. Evidence shall be submitted with a building permit application that the wind machine has been constructed in accordance with accepted industry standards and certified safe.

[3.] **3.** Repair and Removal of Wind Machines.

(a) Any wind machine found to be unsafe by an official of the Carson City Building Division shall immediately cease operation upon notification by Carson City and shall be repaired by the owner to meet federal, state, and local safety standards or be removed within [six (6)] **6** months. Wind machines that are not operated for a continuous period of [twelve (12)] **12** months [shall] **must** be removed by the owner of the wind machine.

(b) When a wind machine is **required to be** removed from a site, all associated and ancillary equipment, batteries, devices, structures [or support(s)] **and supports** for that system [shall] **that do not otherwise meet building height and setback requirements must** also be removed. For the purposes of this section, non-operation shall be deemed to include, but shall not be limited to, the blades of the wind

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machine remaining stationary so that wind resources are not being converted into electric or mechanical energy, or the wind machine is no longer connected to the public utility electricity distribution system.

[~~(4)~~] **4.** Mounting of Wind Machines. Attachment of the wind machine, including any support or structural components, to any building or structure shall be in strict compliance with regulations of the Carson City Building Division.

[~~(5)~~] **5.** Additional Safety Restrictions. An application for the issuance of a special use permit that is submitted pursuant to this Title for the installation of a private use wind energy conversion system:

[a.] **(a)** May not be denied solely because of the proposed height of the system; and [~~–~~]

[b.] **(b)** May, in accordance with NRS 278.023077, be denied if it is determined, based on the size, height or configuration of the system, that installation of the system:

[i.] **(1)** Represents a danger to the health, safety or welfare of the public; or

[ii.] **(2)** Is not compatible with the character of the area in which the system is located.

[~~(6)~~] **6.** Compliance with Regulations.

[a.] **(a)** All systems shall comply with applicable fire and building codes.

[b.] **(b)** All standards are absolute. Once wind machines are permitted, the owners have the option of compliance with the standards or discontinuation of operations. If the operation of the wind [~~machine(s)~~] machine does not comply with the provisions of this article, the operator shall promptly take all measures necessary to comply with these regulations, including, but not limited to, discontinued operation of [~~one (1) or more~~] the wind machines.

[c.] **(c)** Variations to the regulations and standards of this section may only be permitted by special use permit [~~, approval of which shall be pursuant to Title 18, Section 18.02 (Special Use Permits)~~].

7. Enforcement of standards. The Director may require a wind energy conversion system to be shut down for any violation of the standards of this section upon written notification to the property owner of the violation.

([Ord. No. 2009-14, § III, 7-2-2009](#); Ord. No. 2017-30)

Chapter 18.05 – General Provisions (with proposed changes accepted)

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Chapter 18.05 - GENERAL PROVISIONS

Sections:

18.05.005 - Applicability.

The provisions of this chapter apply in all zoning districts to every building erected and land use established after the effective date of the ordinance codified in this chapter unless indicated otherwise for a particular district. Process-oriented standards are contained in this section. Design-oriented standards are contained in the development standards which are parallel in authority to this section.

(Ord. 2001-23 § 2 (part), 2001).

18.05.025 - Storage containers.

1. Temporary construction containers. Temporary construction containers are permitted in conjunction with an active building permit in all zoning districts. Temporary construction containers must be directly associated with construction activity and must be shown on the site plan submitted for a building permit. Up to 3 containers per construction site may be utilized to house fixtures, materials or merchandise pertaining to the construction. On job sites exceeding 5 acres or 50,000 square feet of building area, the number of temporary construction containers may be increased at the discretion of the director. Upon completion of the project and prior to issuance of a final certificate of occupancy, all construction containers must be removed from the construction site.

2. Except for storage containers used in conjunction with a permit for construction, storage containers or other similar enclosures are allowed in the commercial, industrial, and public zoning districts, subject to the following requirements:

(a) Storage containers may be utilized on a temporary basis, for a maximum of 90 days, once in any calendar year, subject to the approval of the Director;

(b) Within any industrial zoning district, the use of metal storage containers for more than 90 days within any calendar year is subject to the approval of the Director;

(c) Within the commercial or public zoning districts, excluding the neighborhood business (NB) zoning district, the use of metal storage containers for more than 90 days within any calendar year requires approval of a special use permit. No metal storage containers are allowed in the neighborhood business (NB) zoning district; and

(d) The storage containers must comply with the provisions of Division 1 (Storage Containers) of the Development Standards.

3. Metal storage containers may be used in residential zoning districts subject to the development standards contained in the Title 18 Appendix, Division 1.10.

4. Items prohibited to be used for storage. Except as otherwise provided in this title, automobiles, recreational vehicles, tents, train cars, semi-truck trailers, passenger coaches, buses, streetcar bodies or similar enclosures or rolling stock may not be used for storage or occupied for living or sleeping purposes in any zoning district.

(Ord. 2005-25 § 1, 2005: Ord. 2001-23 § 2 (part), 2001).

18.05.030 –Manufactured homes, mobilehomes, recreational vehicles and commercial coaches.

1. A manufactured home or mobilehome may be used:

(a) For permanent living or sleeping quarters in a manufactured home or mobilehome park or a manufactured home or mobilehome subdivision;

(b) As living quarters during the construction of a residence on the same parcel, limited to the duration of the valid building permit for the main residence;

(c) As a temporary living quarters for miners or stockmen in Conservation Reserve and Agricultural zoning districts for up to 1 year upon approval by the Director, and subject to annual review and renewal by the Director; or

(d) As living quarters in any single-family residential zoning district subject to the following requirements:

(1) The placement of a manufactured home must meet the requirements of this section and the requirements of Division 1 of the Development Standards.

(2) And application for Manufactured Home in Single Family Zoning must be submitted to the Planning Division concurrently with or prior to an application for a building permit being submitted. The following must be provided with the application:

(I) Written and photographic documentation showing that the manufactured home has siding, roof pitch and roofing materials consistent with what is used on at least 51 percent of other single-family residences within 300 feet of the property on which the manufactured home is to be placed.

(II) Documentation showing that the foundation of the manufactured home will be masked architecturally with materials used by at least 51 percent of other residential structures within 300 feet of the property on which the manufactured home is to be placed.

(III) A copy of the purchase agreement, with elevations and floor plans of the unit.

(IV) The application fee.

(V) An attestation by the owner of the lot that the placement complies with all covenants, conditions and restrictions placed on the lot and that the lot is not located within a historic district.

2. A recreational vehicle may be used for temporary living or sleeping quarters only in a recreational vehicle park or where otherwise permitted by the Carson City Municipal Code.

3. A commercial coach may be used as an office with the approval of a special use permit. A special use permit is not required when a commercial coach is used:

(a) As a construction office only within 100 feet of the site of a construction project and for the duration of the building permit. The applicant must obtain all required building permits for the proposed construction prior to the placement of a construction office;

(b) As a temporary office space when accessory to an established business and:

(1) It will not be used for living quarters;

(2) The applicant must obtain all required building permits for the proposed construction prior to the placement of the temporary commercial coach;

(3) The authorization is only effective until permanent office space can be constructed and in no event longer than 1 year; and

(4) The placement of the temporary commercial coach must meet all setback requirements.

4. Storage of unoccupied manufactured homes, mobilehomes, recreational vehicles and commercial coaches.
 - (a) The storage of an unoccupied manufactured home, mobilehome, commercial coach or recreational vehicle is permitted only on property zoned for outside storage.
 - (b) In addition to the permitted locations for recreational storage above, the owner of a recreational vehicle may store their recreational vehicle in residential zoning districts only on the property that they own or on which they reside.

(Ord. 2007-35 § 1, 2007: Ord. 2004-31 § 1, 2004; Ord. 2004-2 § 1, 2004; Ord. 2001-23 § 2 (part), 2001).

18.05.035 - Watchman's quarters.

In order to provide increased security within the industrial, commercial, agriculture and conservation reserve districts, a watchman's quarters may be provided as an accessory use under the following conditions:

1. The watchman's quarters must clearly be accessory to the main use;
2. The quarters are limited to 1 family;
3. The quarters may be required to be removed if not in compliance with any conditions of approval;
4. Additional conditions of approval may be required by the director to insure compatibility with adjacent uses; and
5. Watchman's quarters can be a manufactured home or a site constructed home. A recreational vehicle is not allowed to be used as a watchman's quarters.

(Ord. 2004-20 § 7, 2004: Ord. 2001-23 § 2 (part), 2001).

18.05.040 - Heliports.

1. Heliports may be approved as an accessory use to a primary commercial, industrial or public use through approval of a Special Use Permit.
2. Heliports are only allowed as a primary use in zoning districts as established in CCMC chapter 18.04, Zoning Districts.

(Ord. 2001-23 § 2 (part), 2001).

18.05.045 - Home occupation.

All home occupations shall be subject to and must comply with the following provisions of this Section:

1. Business license requirements. All home occupations must obtain a Carson City business license and meet the requirements of this Section.
2. Sale of merchandise. Sale of goods, samples, materials, equipment or other objects on the premises is not permitted. Home occupations shall not conduct business in person with clients at the home address, with the exception of federally licensed gun dealers, required by federal regulations to conduct firearm sales at their home location.
3. Size Limits. A home occupation must be accessory to the use of the property as a primary residence.
4. Employees. No on-site office staff or business personnel shall be permitted in any home occupation unless the employees are members of the resident family and reside on the premises.
5. Character. The characteristics of the structure shall not be altered, nor shall the occupation within the dwellings be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting or by signs, or the emission sounds, noises, dust, odors, fumes, smoke, electrical disturbance or vibrations, or disturbs the peace and general welfare of the area.
6. Traffic. Pedestrian and vehicular traffic shall be limited to that normally associated with residential districts. Deliveries from commercial suppliers may not be made more than once each day and the deliveries shall not restrict traffic circulation.

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7. There shall be no outside storage of materials or equipment; no storage of toxic or hazardous materials, including ammunition and gunpowder; not shall merchandise be visible from outside the dwelling.

8. Location. The home occupation shall be confined within the main building and/or accessory structure as a secondary use of the residential use. When conducted in a garage, the home occupation shall not permanently eliminate the use of the garage as a parking space for a car, nor shall the bay door be open while the home occupation is conducted within the garage.

9. Use of facilities and utilities. The use of utilities and community facilities shall be limited to that normally associated with the use of the property for residential purposes.

10. Advertising. There must not be any public advertising which calls attention to the fact that the dwelling is being used for business purposes. Telephone listings, business cards, or any other advertising of the business, shall not include the dwelling address. The name, telephone, and purpose of the home occupation may be advertised on a vehicle which is operated by the resident or residents of the dwelling in conjunction with the business. The home address may appear on letterhead and invoices when the home address is also the business address.

11. Electromagnetic interference. Electrical or mechanical equipment which creates video or audio interference in customary residential electrical appliances or causes fluctuations in line voltage outside the dwelling unit is prohibited.

12. Fire safety. Activities conducted and equipment or material used or stored shall not adversely change the fire safety of the premises.

13. Parking. No parking or placement of commercial vehicles such as trucks, trailers, equipment or materials except 1 panel van or pickup truck, when used for personal transportation.

14. Food processing or packaging. The processing or packaging of food products is prohibited except as expressly permitted by NRS or Carson City health department regulations.

15. Vehicle repair. On-site repair and maintenance of vehicles not owned by the person conducting the home occupation is prohibited.

(Ord. 2004-20 § 8, 2004: Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-33, § X, 9-4-2008](#))

18.05.055 - Accessory structures.

1. It shall be unlawful to construct, erect or locate in any residential district, private garages or other accessory buildings without a permitted primary residence, except that a temporary building may be constructed and occupied pending the construction of a permanent residence providing that no permit shall be issued for such temporary structure unless a permit also be issued at the same time for the permanent residence. If it be proposed to convert said temporary structure to a permitted accessory use upon completion of the main structure, said conversion shall occur upon completion of the final structure or be removed at that time or within a period of 1 year from the date of issuance of original permit.

2. The following setbacks are required for accessory structures in all residential zoning districts:

[See table on following page.]

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Zoning district	Accessory structure size	Setbacks ¹
SF6, MH6, SF12, MH12, SF21	200 square feet or less in area and not more than 15 feet in overall height	Rear: 3 feet ² Side: 3 feet ² Front and Street Side: Per zoning ³
	More than 200 square feet and not more than 400 square feet, and not more than 15 feet in overall height	Rear: 5 feet ² Side: 5 feet ² Front and Street Side: Per zoning ³
	Any size, more than 15 feet in overall height	Rear: Per zoning ³ Side: Per zoning ³ Front and Street Side: Per zoning ³
SF6, MH6, SF12, MH12, SF21	More than 400 square feet in area	Rear: Per zoning ³ Side: Per zoning ³ Front and Street Side: Per zoning ³
	Any size, any height	Rear: Per zoning ³ Side: Per zoning ³ Front and Street Side: Per zoning ³

Footnotes:

(1) If an accessory building is connected to the main building by a breezeway or other roof structure open to the outside, each structure shall meet full yard setback requirements for the zoning district in which the property is located.

(2) Includes eaves and other building projections. Structures 200 square feet or smaller that are used exclusively for storage may be exempt from the requirement to obtain a building permit. See Title 15 for building permit requirements.

(3) See CCMC Chapter 18.04 required setback tables.

3. The following process-related regulations apply to accessory structures in all residential zoning districts:

Zoning district	Accessory structure size ¹	Required Approval ²
SF6, MH6, SF12, MH12, SF21	Not more than 500 square feet or 75% of the primary structure ³ , whichever is larger	Building permit
	More than 500 square feet, and more than 75% but not more than 100% of the primary structure	Administrative permit
	More than 500 square feet and more than 100% of the primary structure	Special use permit
SF1A, MH1A, SF2A, SF5A	Not more than 1,000 square feet or 75% of the primary structure, whichever is larger	Building permit
	More than 1,000 square feet, and more than 75% but not more than 100% of the primary structure	Administrative permit
	More than 1,000 square feet and more than 100% of the primary structure	Special use permit

Footnotes:

(1) Accessory structure size includes the size of all detached accessory structures combined, excluding detached trellis structures and excluding attached patio covers and breezeways that are not enclosed.

(2) All structures over 200 square feet require a building permit in addition to any required discretionary permit.

(3) Primary structure size includes the total floor area of the main residence, excluding basement, plus the area of any attached garage space.

(Ord. 2004-6 § 12, 2006: Ord. 2004-20 § 10, 2004: Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-37, § III, 12-4-2008](#))

18.05.065 - Uses required to be within a structure.

Except as otherwise provided in title 18, all uses must be conducted within a fully enclosed structure within all office, commercial and industrial zoning districts. Automobile sales, boat sales, large equipment sales, Christmas trees, pumpkins, or other large equipment for sale or rent, may be displayed outdoors by sales or rental businesses, or businesses determined by the Director to be of a similar nature or circumstance.

(Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-33, § XI, 9-4-2008](#))

18.05.080 - Private use wind energy conversion systems.

To balance the need for clean, renewable energy resources against the protection of the health, safety and welfare of the community, the purpose of this section is to regulate private use wind energy conversion systems (WECS) for the production of electricity for use on the subject site and for net metering through the power company.

1. Applicability.

(a) A private use wind energy conversion system is considered an accessory use in all zoning districts.

(b) All proposed private use wind energy conversion systems located within the Carson City Historic District must receive review and approval from the Historic Resources Commission, in addition to any other required approvals, prior to submission of a building permit.

2. Standards. All wind energy conversion systems are subject to and must comply with the following provisions:

(a) Location. A minimum parcel size of 1 acre is required for the placement of any horizontal axial wind turbine. Vertical axial wind turbines are permitted on any parcel. No part of a wind energy conversion system shall be located within or over drainage, utility or other established easements;

(b) Number per parcel. A maximum of 1 wind machine per parcel is permitted on parcels less than 1 acre in size; a maximum of 1 wind machine per acre is permitted on parcels greater than 1 acre in size;

(c) Setbacks. Minimum setbacks for private use wind machines shall be:

(1) A minimum of 1.1 times the total extended height from the project property lines adjacent to a residential, conservation reserve or agricultural zoning district;

(2) Guy wire anchors may not extend closer than 10 feet from any property line;

(3) A 10-foot minimum setback from any part of the machine, rotors or guy wires to the property line of any other non-residential zoning district; and

(4) Wind machines may not be located within the front yard or street-side yard setback area on any parcel within a residential zoning district; and

(d) Height. The total extended height of a wind energy conversion system must not exceed the maximum height allowed for a structure in the zoning district in which the system is located unless additional height is permitted by approval of a special use permit.

(1) Tower height shall mean the height above adjacent grade of the fixed portion of the tower, excluding the wind turbine itself.

(2) Total extended height shall mean the height above adjacent grade to a blade tip at its highest point of travel and including any other portion of the wind energy conversion system; and

(e) Lighting. Wind system towers shall not be artificially lighted unless required, in writing, by the Federal Aviation Administration (FAA) or other applicable authority that regulates air safety. When lighting of the tower is required, the lighting shall be the lowest intensity allowable under FAA

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regulations; the fixtures shall be shielded and directed to the greatest extent possible to minimize glare and visibility from the ground; and no strobe lighting shall be permitted unless expressly required by the FAA; and

(f) Access. All wind machine towers must comply with the following provisions:

(1) The tower shall be designed and installed so that there shall be no exterior step bolts or a ladder on the tower readily accessible to the public for a minimum height of 12 feet above the ground. For lattice or guyed towers, sheets of metal or wood or other barrier shall be fastened to the bottom tower section such that it cannot readily be climbed; and

(2) All ground-mounted electrical and control equipment shall be labeled or secured to prevent unauthorized access; and

(g) Rotor Safety. Each wind machine shall be equipped with both manual and automatic controls to limit the rotational speed of the blade within the design limits of the rotor. An external, manual shut-off switch shall be included with the installation. The minimum distance between the ground and any protruding blades utilized on a private wind machine shall be 10 feet as measured at the closest point of the arc of the blades; and

(h) Noise. All wind machines shall comply with the noise requirements in this section. These levels, however, may be exceeded during short-term events such as utility outages and severe wind storms. A manufacturer's sound report shall be required with a building permit application.

(1) No wind machine or combination of wind machines on a single parcel shall create noise that exceeds a maximum of 25 decibels (dBA) at any property line where the property on which the wind machine is located or the abutting property is 1 acre or less or a maximum of 50 dBA at any other property line. Measurement of sound levels shall not be adjusted for, or averaged with, non-operating periods. Any wind machine exceeding these noise levels shall immediately cease operation upon notification by Carson City and may not resume operation until the noise levels have been reduced in compliance with the required standards and verified by an independent third party inspector, approved by Carson City, at the property owner's expense. Upon review and acceptance of the third-party noise level report, Carson City will allow operation of the affected wind machine.

(2) Sound below 20 Hertz. No wind machine or combination of wind machines shall be operated so that impulsive sound below 20 Hertz adversely affects the habitability or use of any off-site dwelling unit, hospital, school, library or nursing home; and

(i) Aesthetics and Maintenance.

(1) Appearance. Wind machines, unless subject to any applicable standards of the FAA, shall be a non-reflective, non-obtrusive color such as tan, sand, gray, black or similar colors. Galvanized steel or metal is acceptable for the support structures. Any painting or coating shall be kept in good repair for the life of the wind machine.

(2) Electrical Wires. All electrical wires leading from the tower to electrical control facilities shall be located underground.

(3) Maintenance. Wind machines shall be maintained in good repair, as recommended by the manufacturer's scheduled maintenance or industry standards, and shall be free from rust; and

(j) Signs/Labels. The only advertising sign allowed on the wind machine shall be a manufacturer's label, not exceeding 1 square foot in size, located on the generator housing; and

(k) Compliance with FAA Regulations. All wind machines shall comply with applicable FAA regulations, including any necessary approvals for installations; and

(l) Ice Throw. The potential ice throw or ice shedding from the proposed wind machine shall not cross the property lines of the site; and

(m) Certified Safe. Evidence shall be submitted with a building permit application that the wind machine has been constructed in accordance with accepted industry standards and certified safe.

3. Repair and Removal of Wind Machines.

(a) Any wind machine found to be unsafe by an official of the Carson City Building Division shall immediately cease operation upon notification by Carson City and shall be repaired by the owner to

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meet federal, state, and local safety standards or be removed within 6 months. Wind machines that are not operated for a continuous period of 12 months must be removed by the owner of the wind machine.

(b) When a wind machine is required to be removed from a site, all associated and ancillary equipment, batteries, devices, structures and supports for that system that do not otherwise meet building height and setback requirements must also be removed. For the purposes of this section, non-operation shall be deemed to include, but shall not be limited to, the blades of the wind machine remaining stationary so that wind resources are not being converted into electric or mechanical energy, or the wind machine is no longer connected to the public utility electricity distribution system.

4. Mounting of Wind Machines. Attachment of the wind machine, including any support or structural components, to any building or structure shall be in strict compliance with regulations of the Carson City Building Division.

5. Additional Safety Restrictions. An application for the issuance of a special use permit that is submitted pursuant to this Title for the installation of a private use wind energy conversion system:

(a) May not be denied solely because of the proposed height of the system; and

(b) May, in accordance with NRS 278.023077, be denied if it is determined, based on the size, height or configuration of the system, that installation of the system:

(1) Represents a danger to the health, safety or welfare of the public; or

(2) Is not compatible with the character of the area in which the system is located.

6. Compliance with Regulations.

(a) All systems shall comply with applicable fire and building codes.

(b) All standards are absolute. Once wind machines are permitted, the owners have the option of compliance with the standards or discontinuation of operations. If the operation of the wind machine does not comply with the provisions of this article, the operator shall promptly take all measures necessary to comply with these regulations, including, but not limited to, discontinued operation of the wind machines.

(c) Variations to the regulations and standards of this section may only be permitted by special use permit.

7. Enforcement of standards. The Director may require a wind energy conversion system to be shut down for any violation of the standards of this section upon written notification to the property owner of the violation.

([Ord. No. 2009-14, § III, 7-2-2009](#); Ord. No. 2017-30)

Title 18 Appendix, Development Standards – Division 1 – Summary of Proposed Changes

Division 1 - LAND USE AND SITE DESIGN

This chapter establishes standards for development throughout the City. City staff is proposing clerical corrections and other clarifications throughout the chapter that are not substantive to the administration of the code provisions. The purpose of this document is to summarize substantive changes that are being proposed.

1.0 - General.

This introductory section is amended to clarify that the purpose statement is for the entire Division 1, not just for architectural design (Section 1.1). As currently written, this section implies that the standards as a whole do not apply to single-family residential development. However, there are many standards within Division 1 that apply to single-family residential development. An applicability statement is added to each section of Division 1 to clarify to what types of projects the standards apply.

1.1 - Architectural design.

Subsection 3 discusses variations to large wall surfaces applicable to multi-family and non-residential buildings (the section is not applicable to single-family residences). Current verbiage only “encourages” variations in wall planes. The following provision is added to define what is required:

“On commercial and institutional buildings, façades greater than 100 feet in continuous length must incorporate recesses or projections of not less than 3 feet in depth for a minimum of 20 percent of the façade length, and wall planes may not run more than 50 feet in a continuous direction without a recess, projection or offset.”

Subsection 5 is amended to remove the provision prohibiting the use of “smooth-faced block or fabricated metal wall panels” as the predominant building material.

Subsection 6 is deleted to remove the requirement that buildings “should be muted or earth-tone in color. Bold colors shall be avoided except when used as accent trim.” The removes paint color from being regulated by the City.

1.4 - Guest building development.

Under current zoning regulations, a “guest building” is a dwelling unit on the same lot as the primary dwelling unit, “which may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation, and which is used exclusively for housing the family members of the primary residence and their non-paying guests.”

Subsection 2 is amended to add a minimum lot size of 8,000 square feet for the development of a guest building.

Subsection 4 is amended to add a minimum lot size of 21,000 in order to have a guest building of up to 1,000 square feet. Lot sizes under 21,000 are allowed a guest building of up to 700 square feet.

1.6 – Child care facilities performance standards.

Subsection 4 is amended to increase the permitted size of a sign for a child care facility within a residential zoning district from 2 square feet to 6 square feet consistent with the permitted size of a real estate sign on a residential property.

1.7 – Bed and breakfast inn performance standards.

Subsection 4 is amended to allow a sign for a bed and breakfast inn within a residential zoning district (where a bed and breakfast inn is permitted) of up to 6 square feet consistent with the permitted

Title 18 Appendix, Development Standards – Division 1 – Summary of Proposed Changes

size of a real estate sign on a residential property. Currently, a sign is permitted but no maximum sign size is stated.

1.10 - Personal storage and metal storage containers.

Subsection 2(l) is amended to require an administrative review of permits for storage containers in commercial, industrial and public zoning districts every 5 years rather than taking each review to the Planning Commission every 5 years.

Currently, metal storage containers (e.g. “conex” boxes or shipping containers) are prohibited on all residentially zoned properties. Subsection 3 is added to allow storage containers residential properties as follows:

3. Metal storage containers may be used in residential zoning districts subject to the following standards:

- (a) Metal storage containers may only be placed in the side or rear yard area and must meet the location, placement and maximum permitted area standards for detached accessory structures contained in this title;
- (b) Metal storage container exterior walls shall be fully covered in building siding material to have the appearance of a permanent structure and shall be painted either to blend with the primary structure or painted earth-tone colors to minimize visual impacts;
- (c) The maximum area of a metal storage container on a lot less than 1 acre shall be 200 square feet (typically 20 feet by 10 feet);
- (d) The maximum area of a metal storage container on a lot of 1 acre or larger shall be 400 square feet (typically 40 feet by 10 feet);
- (e) The maximum number of metal storage containers permitted is 1 per acre, excepting that parcels of less than 1 acre may have 1 metal storage container;
- (f) Metal storage containers shall be used for storage purposes only with no human occupancy;
- (g) No storage shall be placed upon or above the metal storage container; and
- (h) Metal storage containers may be placed on a hard surface in the front yard area on a temporary basis of up to 30 days, with approval from the Director, when used to store household goods during a construction or home remodeling project or when moving to or from the residence.

1.13 - Fences, walls and hedges.

4. The height of a fence, wall or hedge shall be measured from the highest adjacent ground, either natural or filled, upon which it is located [~~, except within 15 feet of any front property line or within 30 feet of any street intersection, wherein all base measurements shall be considered from an extension of street grade~~].

The subsection above is changed as noted. The stated method of measuring fence height in front yards and near intersections has not been used in actual practice. Such a measurement would require surveying tools. The standard method of measuring fence height is adequate to accomplish the intended purpose of limiting fence heights in front-yard areas.

Residential and Non-Residential District Intensity and Dimension Standards

These tables are deleted because they are duplicated in Sections 18.04.190 and 18.04.195.

1.18 - Residential development standards in non-residential districts.

Subsection 4(a) is amended to increase the required setback adjacent to a residential zoning district from 20 feet to 30 feet consistent with the 30 feet that is currently required by the setback tables in section 18.04.195.

Title 18 Appendix, Development Standards – Division 1, Land Use and Site Design

Division 1 - LAND USE AND SITE DESIGN

Table of Contents:

- 1.0 - General.
- 1.1 - Architectural design.
- 1.2 - Site design.
- 1.3 - Lighting standards.
- 1.4 – Guest building development.
- 1.5 – Not used.
- 1.6 – Childcare facilities performance standards.
- 1.7 - Bed and breakfast inn performance standards.
- 1.8 - Satellite dishes and antennas.
- 1.9 - Wireless telecommunication facilities and equipment.
- 1.10 - Personal storage and metal storage containers.
- 1.11 - Street vendors.
- 1.12 - Outside storage.
- 1.13 - Fences, walls and hedges.
- 1.14 - Encroachments into setbacks.
- 1.15 - Manufactured home installation within a single-family zoning district.
- 1.16 - Youth recreation facilities performance standards.
- 1.17 - Multi-family apartment (MFA) development standards.
- 1.18 - Residential development standards in non-residential districts.
- 1.19 - Adult merchandise retail establishment performance standards.
- 1.20 - Medical Marijuana Establishments and Marijuana Establishments.

1.0 - General.

1. Purpose. ~~[These design standards have been prepared to foster quality design of office, commercial, multi family, public, industrial and institutional projects within Carson City.]~~ The image of the community affects the economic well being of the **City** ~~[city, especially the tourism economy]~~. These **design** standards are aimed at improving the community image **by fostering quality design of projects within the City**.

These standards are intended to inspire development of lasting quality and designs that enhance the overall community **for the benefit of the City's residents, businesses, and visitors**. They are intended to assist the public, developers and design professionals in planning and designing projects. These standards shall also serve as criteria for design review by city staff, the ~~[planning commission (commission), and board of supervisors (board)]~~ **Commission and the Board**.

2. Enforcement. The standards of this Division are enforced under Section 18.020.030 (Enforcement) of Title 18.

[Staff notes: This first section should include a general purpose statement for the entire Division 1, not just for architectural design (Section 1.1).]

1.1 - Architectural design.

[Staff notes: This section and each subsequent section should include an applicability statement.]

These architectural design standards apply to development within all zoning districts excluding single-family residential districts. ~~[Office, retail, commercial, public, institutional, industrial and multi-family buildings and their architecture play]~~ **Architecture plays** a large role in establishing the overall image of the community. In all cases, these standards stress the importance of visually identifying and unifying the community character. These standards do not require a single architectural style ~~[; instead]~~ **and** an eclectic mixture of harmonious styles ~~[are]~~ **is** encouraged. Buildings **located within the Downtown Mixed-Use zoning district must follow the specific design requirements of that district in**

addition to the standards of this chapter [which are 50 years or older within the downtown area must meet the requirements of the downtown business district found in the Carson City Municipal Code].

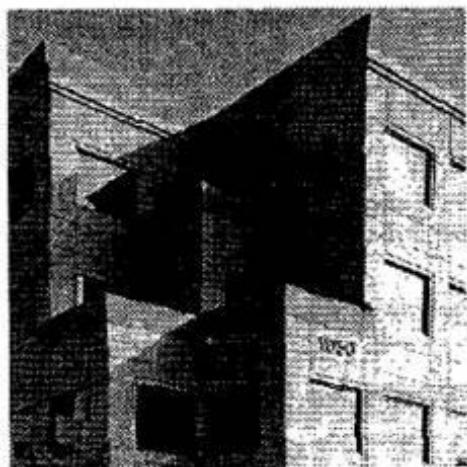
[1.1.1] 1. The architectural style, massing and proportion of a building should be compatible with and [compliment] **complement** its surroundings and environmental characteristics of the community.

[1.1.2] 2. Buildings should be designed on a "human scale" by using architectural enhancements such as windows, awnings, arcades, plazas, courtyards and roof overhangs.

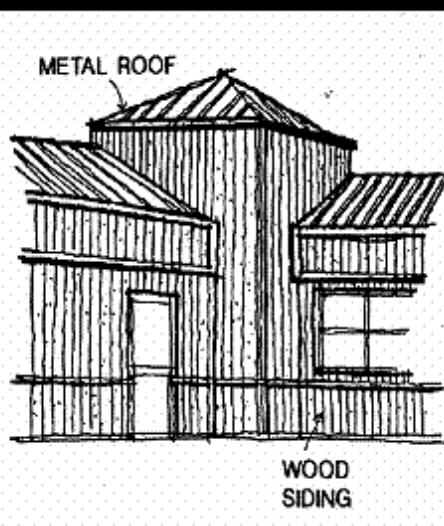
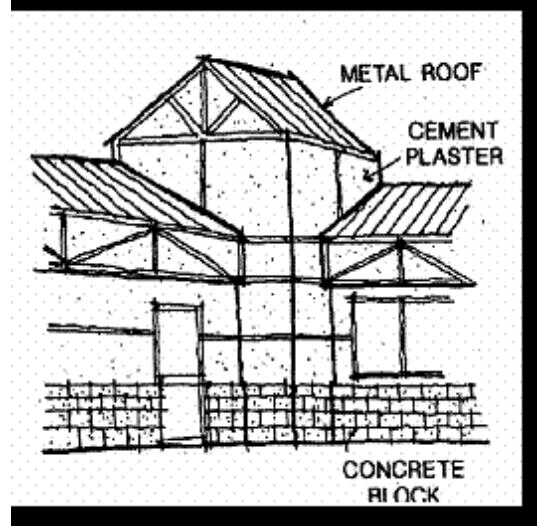
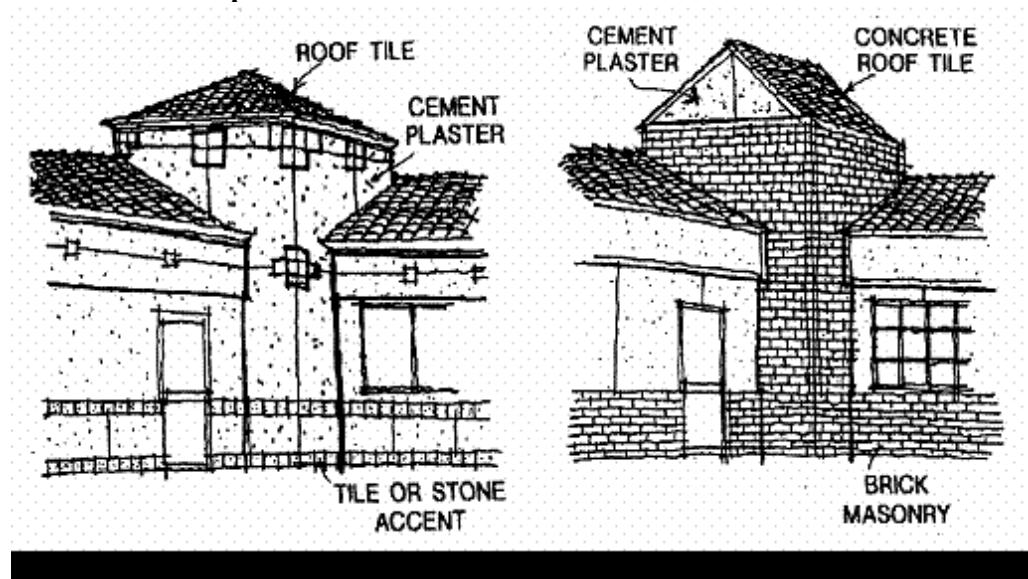


Architectural enhancements such as roof overhangs, arcades and trellises shall be used.

[1.1.3] 3. Variations of building details, form, line, color and materials shall be employed to create visual interest. Variations in wall planes, roof lines and direction are encouraged to prevent monotonous appearance in buildings. Large expanses of walls devoid of any articulation or embellishment shall be avoided. Similarly, vertical variation in the roof line is encouraged. Mansard roofs shall wrap around the entire building. **On commercial and institutional buildings, façades greater than 100 feet in continuous length must incorporate recesses or projections of not less than 3 feet in depth for a minimum of 20 percent of the facade length, and wall planes may not run more than 50 feet in a continuous direction without a recess, projection or offset.**



Variation in wall planes adds interest



Typical materials and finishes

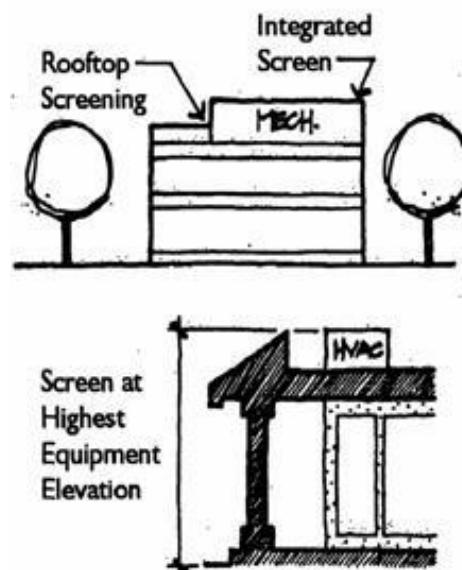
[1.1.4] **4.** All building elevations shall receive architectural treatment, except in special situations where an elevation is not visible from an adjoining property or street.

[1.1.5] **5.** Materials and finishes shall be selected for architectural harmony and enhancement of the architectural theme as well as aesthetic quality, durability and ease of maintenance. Materials, finishes and colors shall be varied where appropriate to provide architectural interest. The number of building materials generally shall be limited to three and these materials shall not stop abruptly at corners, but continue to side or back elevations. ~~Smooth faced block or fabricated metal wall panels are not allowed as the predominant building material.~~

[1.1.6] ~~6. Exterior building colors should blend with surrounding development and not cause abrupt changes. Primary building surfaces (excluding trim areas) should be muted or earthtone in color. Bold colors shall be avoided except when used as accent or trim.~~

[1.1.7] **76.** Except as otherwise provided in this section, roof-mounted equipment ~~[within commercial, industrial, office, public or multi-family districts]~~ shall be screened from view from a public right-of-way and adjacent property through the use of architectural means such as parapet walls and equipment wells. Screening of roof-mounted equipment from view must be integrated into the building design. All equipment shall be located below the highest vertical element of the building. Wall-mounted air conditioning units shall be integrated into the design and/or screened. Roof-mounted solar panels are excluded from the requirement for screening. Roof-mounted mechanical support and accessory mechanical equipment for solar panels shall be screened architecturally and integrated to match the existing roof and/or building materials.

On sites exhibiting topographic relief effecting visual screening capabilities, site-obscuring screening shall be provided to visually screen the equipment at a minimum of 100 feet from the site.



Typical Equipment Screening

[1.1.8] **87.** Reflective, untreated roofs shall be prohibited ~~[unless painted flat, non-glossy paint to compliment or match the primary color of the primary exterior building material(s)].~~

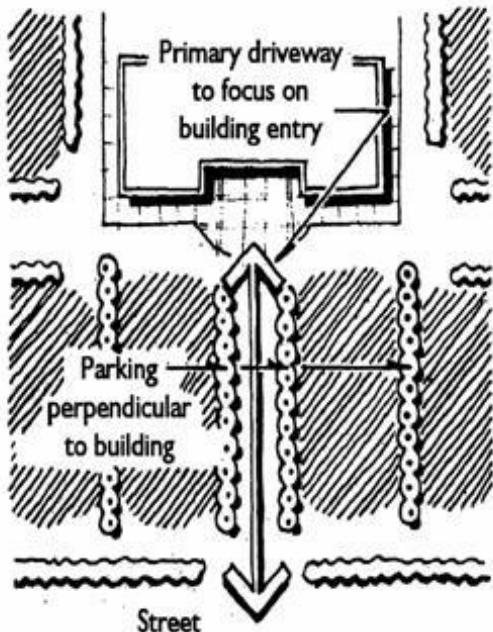
[1.1.9] **98.** Multi-building/tenant projects shall include architectural consistency for all buildings including color schemes, wall textures, roofs, roof slopes, awnings and other similar architectural themes.

[1.1.10] **109.** Buildings which give the appearance of "box-like" structures shall be discouraged. (Ord. 2001-23, Development Standards). ([Ord. No. 2008-29, § II, 8-7-2008](#))

1.2 - Site design.

These site design standards apply to development within all zoning districts excluding single-family residential districts. These standards are intended to promote quality development, visual compatibility, safety and consistency through an integration of site design elements including building orientation and location, site access, circulation, parking, service areas and pedestrian and bicycle access. Of primary concern is the appearance as viewed from the street.

[1.2.4] **1.** Primary entries and/or facades of buildings should be oriented towards the street or main parking area.



Typical building and parking relationship

[1.2.2] **2.** The orientation and location of a building should provide for pedestrian and bicycle activity and access. **An adequate number of bike racks shall be provided based on the type of use and location of the property.** Bike racks shall be located in a safe and convenient location close to building entrances. Clustering of multiple buildings should create pedestrian plazas, courts or patio areas and be linked architecturally with arcades, trellises, or other similar open structure concepts.

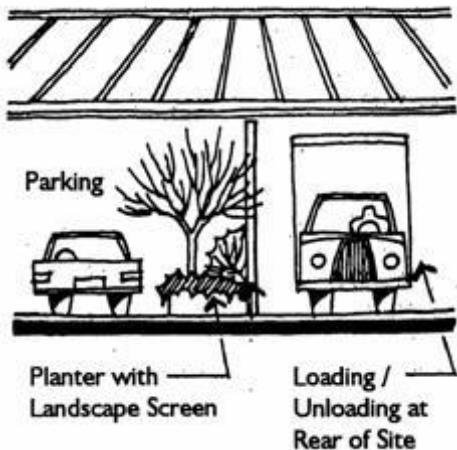


Typical building clusters shall create friendly outdoor spaces.

[1.2.3] **3.** Buildings oriented in a "strip" or straight row with parking along the entire street frontage are not encouraged.

[1.2.4] **4.** Buildings or other improvements shall not impair visibility at street corners or driveway.

[1.2.5] **5.** Detached storage buildings or storage areas shall be located towards the rear of a site and be screened with the use of walls, fencing, and/or landscaping.



Typical screening of service area.

[1.2.6] 6. Trash enclosures shall be provided to screen the storage of trash receptacles.

Trash enclosures shall be placed so as to be screened from public [right of ways] **rights-of-way** and adjacent uses. Outside areas used for the storage of trash, refuse or recycled materials shall be completely enclosed by a gate and a six-foot masonry block wall (all cells grouted solid) and be designed to integrate with the site design. Trash enclosures shall be screened with appropriate plant material.

Trash enclosures shall be designed to meet or exceed minimum size requirements as determined by the sanitation company and shall be located to provide unobstructed access to refuse vehicles. All trash, refuse or recycled material shall be stored in containers within its walled enclosure.

[1.2.7] **7.** Provision for [newspaper racks] **bus stops**, postal boxes and street furniture shall be included as necessary in the overall project design.

[1.2.8] **8.** All utilities shall be supplied to a building or project by underground service, except as approved by the Director.

[1.2.9] **9.** Non-residential power transformers or other above ground equipment shall not impair sight distances and shall be screened from the adjacent public right-of-way. Consideration shall be given to utility company access.

[1.2.10] **Restaurant and food service businesses shall install a drain that is connected to an approved grease interceptor in accordance with Division 15.1.** *[Staff note: This standard is located in Division 15 (Water, Sewer, Reclaimed Water Standards). Generally, standards that are contained in other parts of the Municipal Code should not be duplicated elsewhere unless they directly relate to that section.]*

(Ord. 2001-23, Development Standards). ([Ord. No. 2008-33, § XIII, 9-4-2008](#))

1.3 - Lighting standards.

These lighting standards apply to development within all zoning districts excluding single-family residential districts. This section sets forth criteria and standards to mitigate impacts caused by lighting and glare.

Lighting Purpose Statement. Office, retail, commercial, public, institutional, industrial and multi-family buildings and their lighting are part of the overall image of the community. In all cases, these

standards stress the importance of visually identifying and unifying the community character. Unnecessary and improperly designed light fixtures cause glare, or intense light that results in unnecessary brightness, a reduction of visual performance and visibility, light pollution and wasted resources through additional expense for utility costs, hazardous conditions for all modes of transportation, and also affects the ability to view the night sky, including astronomical observations. The following regulations are intended to mitigate these conditions by regulations that require shielding, pointing lighting downward (other than accent lighting), only using the amount of light that is necessary and recommending turning fixtures down or off when not required. All new lighting including upward wall lighting must be reviewed and approved by the director or his designee.

[Applicability:]

[1.3.1] 1. All existing structures ~~[and residential uses]~~ are exempt from this ordinance and are considered ~~[grand fathered]~~ **legal nonconforming** improvements. All proposed new commercial developments, buildings, multi-family residential complexes of 10 units or more, structures or building additions of 50 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or other units of measurement specified herein, either with a single addition or cumulative additions subsequent to the effective date of this provision, shall meet the requirements of this Ordinance for the entirety of the property, including all existing and proposed lighting unless exempted under Nonconforming Uses, shown below. For all building additions of less than a cumulative amount of 50 percent, the applicant shall only have to meet the requirements of this section for only the new outdoor lighting proposed.

[1.3.2] 2. Nonconforming Uses or Structures. Whenever a nonconforming use, structure or building is abandoned for a period of 12 months and then changed to a new use according to the requirements of this code as described in Municipal Code Title 18.04.030 Nonconforming Uses, then any existing outdoor lighting, with the exception of conversion to a residential use of nine units or ~~[less]~~ **fewer**, shall be reviewed and brought into compliance with this code.

[1.3.3] 3. General Requirements in ~~[A]~~**all nonresidential zoning districts** ~~[Commercial and Industrial Zones]~~:

Light. All nonresidential uses shall provide lighting within public parking areas and access ways to provide safety and security. All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties and glare to the sky. The following provisions shall apply to all proposed development:

[1.] (a) Any lighting facilities shall be so installed as to project light downward and away from adjoining properties and glare to the sky, with the exception of accent lighting, which is limited to a maximum upward angle of forty-five (45) degrees. Site lighting trespass onto adjacent locations and the night sky shall be minimized. Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover. All light fixtures, except street lights, shall be located, aimed or shielded so as to minimize stray light trespassing beyond property boundaries.

[2.] (b) All light fixtures that are required to be shielded shall be installed in such a manner that the shielding is installed as designed. Fixtures, which are International Dark Sky Association approved such as Dark Sky Friendly or equivalent, with full cutoff lighting for area and wall pack fixtures are recommended. Sag, convex, drop lenses and ~~[luminaries]~~ **luminaires** with open bulbs are prohibited.

[3.] (c) If elevations of buildings are proposed for accent illumination, drawings and a photometric plan shall be provided for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illuminance levels of the elevations and the aiming points. The maximum upward angle is forty-five (45) degrees.

[4.] (d) Light standards, light poles and wall pack lighting adjacent to residential zones shall be limited in height as follows: Fixtures shall not exceed an overall height of twelve (12) feet within seventy-five (75) feet, sixteen (16) feet within one hundred (100) feet, twenty (20) feet within one hundred twenty-five (125) feet, twenty-four (24) feet within one hundred fifty (150) feet and twenty-eight (28) feet within one hundred seventy-five (175) feet of property line, or center of street, whichever is closer, when adjacent to residential zones. Additional height may be permitted by the Director provided such lights are

a sharp cutoff lighting system. Illumination levels at the property line of a project shall be reduced by the use of house side shields and reflectors, and shall be maintained in such a manner as to confine light rays to the premises of the project.

[5.] **(e)** No permanent rotating searchlights shall be permitted in any regulatory zone, except that an Administrative Permit may be issued by the Director for a period not to exceed three (3) days for a temporary searchlight. The Administrative Permit shall be limited to a minimum of three (3) times in one (1) calendar year. This prohibition shall not apply to the Carson City Airport.

[6.] **(f)** Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level. A photometric plan is required on all projects with building size of fifty thousand (50,000) square feet or larger and may also be required at the discretion of the Director.

[7.] **(g)** For all projects where the total initial output of the proposed lighting equals or exceed one hundred thousand (100,000) lumen, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before the certificate of occupancy is issued. Until this certification is submitted and reviewed, approval for use of a certificate of occupancy shall not be issued for the project.

[8.] **(h)** Exterior lighting installations shall include timers, dimmers, sensors or photocell controllers that turn the lights off during daylight hours or when lighting is not needed, which will reduce unnecessary lighting, as practical. Businesses are encouraged to turn lighting down or off when businesses are not open.

[9.] **(i)** Glare. Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using building materials and colors which are less reflective for exterior walls and roof surfaces, controlling angles of reflection and placing landscaping and screening in appropriate locations.

[4.] **4.** Interior lighting. Where residential uses abut non-residential uses, interior building lighting of the non-residential uses shall be controlled at night through the use of timers, window blinds or other acceptable means.

[5.] **5.** General Lighting Performance Standards. All exterior light fixtures shall use full cut-off ~~[luminaries]~~ **Luminaires** with the light source downcast and fully shielded with no light emitted above the horizontal plane. Again, fixtures which are International Dark Sky Association approved such as Dark Sky Friendly or equivalent with full cutoff lighting for area and wall pack fixtures are recommended. Exceptions are noted below.

[4.] **(a)** ~~[Luminaries]~~ **Luminaires** which have a maximum output of 500 lumen per fixture, (equivalent to one 40-watt incandescent bulb) regardless of number of bulbs, may be left unshielded provided the fixture has an opaque top to keep light from shining directly up. ~~[Luminaries]~~ **Luminaires** which have a maximum output of 850 lumen per fixture, (equal to one 60 watt incandescent light) regardless of number of bulbs, may be partially shielded, provided the bulb is not visible from off-site, no direct glare is produced, and the fixture has an opaque top to keep light from shining directly up.

[2.] **(b)** Accent Lighting. Architectural features may be illuminated by up-lighting or light directed to the building, such as wall washing, provided that the light is effectively aimed to or contained by the structure by such methods as caps, decks, canopies, marquees, signs, etc, the lamps are low intensity to produce a subtle lighting effect, and no light trespass is produced. The angle of up-lighting shall not exceed 45 degrees. ~~[Luminaries]~~ **Luminaires** shall not be installed above the height of the parapet or roof. For national flags, statutes, public art, historic buildings or other objects of interest that cannot be illuminated with down-lighting, upward lighting may be used in the form of narrow-cone spotlighting that confines the illumination to the object of interest.

[3.] **(c)** All ~~[luminaries]~~ **Luminaires** shall be aimed and adjusted to provide illumination levels and distribution as indicated on submitted plans. All fixtures and lighting systems shall be in good working order, cleaned and maintained in a manner that serves the original design intent of the system.

[4.] **(d)** Floodlights that are not full cut-off (light emitted above the fixture) may be used if permanently directed downward, not upward, and aimed at no more than a 45 degree angle, so no light is

projected above the horizontal plane, and fitted with external shielding for top and side to prevent glare and off-site light trespass. Unshielded floodlights are prohibited.

[5.] (e) Sensor activated lighting may be used provided it is located in such a manner as to prevent direct glare and lighting into properties of others or into a public right-of-way, and provided the light is set to go on only when activated and to go off within five minutes after activation has ceased, and the light shall not be triggered by activity off the property.

[6.] (f) Vehicular lights and all temporary emergency lighting such as search lights or any similar high-intensity lights as needed by the fire department, sheriff's office, public works department, Carson City Airport, utility companies, State or Federal Departments or other emergency services shall be exempt from the requirements of this ordinance.

[7.] (g) Illumination for outdoor recreation facilities must conform to the shielding requirements, except when such shielding would interfere with the intended activity. For such facilities, partially-shielded [luminaries] luminaires are permitted. Examples of activities where partially-shielded [luminaries] luminaires are permitted include, but are not limited to, baseball, softball and football. Fully-shielded [luminaries] luminaires are required for tennis, volleyball, racquetball, handball courts and swimming pools. Rotating airport beacons are exempt from this requirement.

[8.] (h) Service Station/Canopy Lighting. All [luminaries] luminaires mounted on the under surface of service station canopies shall be fully shielded and utilize flat covers. All lighting shall be recessed sufficiently so as to ensure that no light source causes glare on public rights-of-way or adjacent property. [A maximum of 850 lumen per fixture is allowed (equivalent to one 60-watt incandescent bulb).]

[Staff note: There is no limitation on the amount of lumens for commercial application elsewhere, and the existing regulation limiting only service station canopies to the equivalent of 60-watt incandescent bulbs is impractical.]

[9.] (i) Temporary Lighting. The director may grant a permit for temporary lighting, which does not conform to the provisions of this ordinance if the applicant meets the following criteria: the purpose for which the lighting is proposed does not extend beyond 60 days, but may be granted a 30 day extension after review by the Director. The director will rule on the application within 5 business days of the date of submission of the request, and notify the applicant in writing of the decision.

[a.] (1) The proposed lighting must be designed in such a manner as to minimize light trespass and glare to the sky.

[b.] (2) It will be a temporary use and will be in the public interest.

[c.] (3) The application for temporary lighting shall include the following information: The name and address of the applicant and property owner, a site plan showing entire site and location of proposed [luminaries] luminaires, manufacturers specification sheets showing type, wattage and height of lamp(s) with type and shielding of proposed [luminaries] luminaires, or if not new, pictures of previous sites or of the fixtures proposed to be used.

[10.] (j) Maintenance. All fixtures shall be maintained in good working order, with aiming, angles, wattage and intensity as originally approved. Replacement bulbs shall be the same or less wattage and intensity as originally approved. Fixtures and reflecting surfaces shall be cleaned on a regular schedule to reduce additional unapproved glare.

[11.] (k) The director may approve variations to the standards set out in this Division if variations are more appropriate to a particular site, provide an equivalent means of achieving the intent of these lighting standards and are in keeping with the purpose statement of this section. A letter of request detailing the reason for the variation and changes requested is required to be submitted to the director.

[12. These standards are enforced under Title 18.020.030 (Enforcement).] [Staff note: This is moved to the beginning of Division 1 for enforcement of the entire Division.]

(Ord. 2007-12 § 1, 2007; Ord. 2001-23, Development Standards). ([Ord. No. 2008-29, § III, 8-7-2008](#))

1.4 - Guest building development.

These guest building development standards apply to all single-family residential zoning districts. “Guest building” refers to a dwelling unit on the same lot as [the] a primary dwelling unit and ancillary to it. A guest building may provide complete, independent living facilities for 1 or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation. [Typical uses include guest houses, second units, extended family housing and caretaker's quarters.]

[1.4.1] **1. All applications for a guest building shall include a [A] site plan [shall be submitted]** indicating the following:

[a.] **(a)** Location of **the guest building showing setbacks distances from the property line, the** primary residential structure [with setback distances, distance to guest building] and other accessory structures.

[b.] **(b)** Location of all public and private utilities and/or well and septic tank/leach field.

[e.] **(c)** Access to primary residential structure and guest building.

[d.] **(c)** Zoning, size of lot, assessor's parcel number, north arrow, scale, location of other outbuildings.

[1.4.2] **2. Minimum lot size. The minimum lot size required to construct a guest building is 8,000 square feet.** [Recordation. The property owner shall, prior to the issuance of a certificate of occupancy for the building permit, record a deed restriction against the subject property with the city recorder's office stating the guest building occupation limitations contained in Section 1.4.10.]

[1.4.3] **3. Existing Guest Buildings.** **An existing** [Existing] guest buildings **that does not include kitchen facilities** may [expand] **be modified** to include a kitchen facility only upon full compliance with the provisions of this division. [Approval of a building permit is required if the structure itself is being altered.] [Staff note: The Building Code provides for when a building permit is required.]

[1.4.4] **4. Maximum Size.** Guest building living space gross floor area shall not exceed 50 percent of the assessed floor area of the main residence, excluding garages, basements and other accessory structures, or the following limitations, whichever is less:

[a.] **(a)** In the SF6, MH6, SF12 and MH12 zoning districts **and on other residentially-zoned lots of less than 21,000 square feet in area**, a maximum of 700 square feet;

[b.] **(b)** In all other single family residential districts, a maximum of 1,000 square feet **provided that the lot size is a minimum of 21,000 square feet in area**.

[1.4.5] **5. Required Setbacks.** All guest buildings shall meet the same setbacks as required for the primary residence on the lot, provided that second story elements of a guest building are a minimum of 20 feet from all property lines.

[1.4.6] **6. Maximum Building Height.** The guest building shall meet the maximum height requirements of the zoning district in which it is located, provided that second story elements of a guest building are a minimum of 20 feet from all property lines.

[1.4.7] **7. Required Parking.** A minimum of 1 off-street parking space or, for guest buildings with multiple bedrooms, 1 parking space per bedroom shall be provided outside of the required front-yard setback area in addition to the required parking for the main residential use. In the SF6, MH6, SF12 and MH12 zoning districts, the guest parking must be provided on a paved surface.

[1.4.8] **8. Site Design.**

[a.] **(a)** Architectural design and materials for a guest building shall be consistent and compatible with the design and materials of the main structure, including but not limited to roof pitch, roof materials, siding materials and color, and other architectural features;

[b.] **(b)** Only one entrance may be visible from the street frontage.

1.4.9 Modifications to These Provisions.

[a.] **(a)** The above guest building provisions relating to size, height and site design may only be modified by approval of a special use permit;

[b.] **(b)** The above guest building provisions relating to setbacks and parking may only be modified by approval of a variance.

[1.4.10] **10.** Guest Building Occupation. A guest building may only be occupied by the family members of the primary residence, as defined by Title 18 of the Carson City Municipal Code, and their non-paying guests. Guest buildings may not be rented as secondary dwelling units. **The property owner shall, prior to the issuance of a certificate of occupancy for the building permit, record a deed restriction against the subject property with the City Clerk-Recorder's office stating the guest building occupation limitations contained in this section.** *[Staff note: This requirement relocated from Section 1.4.2, above.]*

(Ord. 2007-24 § 2, 2007: Ord. 2006-4 § 1, 2006: Ord. 2001-23, Development Standards).

1.5 - Not used.

(Ord. 2006-4 § 2 (part), 2006: Ord. 2001-23, Development Standards).

1.6 - Child care facilities performance standards.

These child care facilities standards apply to the development of child care facilities in all zoning districts. The purpose of these standards is to promote the health, safety and welfare of the residents of Carson City by providing development standards of child care facilities with careful awareness of their compatibility with surrounding areas and residents, as well as providing needed non-institutionalized child care facilities. *[Staff note: Purpose statement copied from Chapter 18.11 (Child Care Facilities).]*

The following performance standards shall be used in review of individual special use permit requests for child care facilities in addition to other standards of this title.

1. The size, client density and operational characteristics, including, but not limited to, the number of employees, hours of operation and loading/unloading area of a proposed child care facility within a residential zoning district shall be compatible with and shall not adversely affect adjacent residents pursuant to the requirements of this chapter. Consideration shall be given to the following:

- [a.] **(a)** With the construction of, or approval of, new facilities, the facility shall be similar in scale, bulk and site coverage with that of the immediate neighborhood;
- [b.] **(b)** The availability of public facilities, services and utilities;
- [c.] **(c)** Emphasis on maintaining the residential neighborhood character;
- [d.] **(d)** The generation of traffic and the capacity and physical character of surrounding streets.

2. Parking shall meet the requirements of Division 2 (Parking and Loading) of the development standards.

3. Landscaping. In the design of parking area landscaping, considerations shall be given to the retention of existing trees and shrubbery.

4. Signs. *[This section shall apply exclusively to signs for child care facilities located within a residential zoning district. Compliance with Division 4 (Signs) of the development standards shall not be required for a child care facility. The board find and declare that an on-site sign to "advertise or promote" the facility is not necessary. On-site]* **Notwithstanding the sign provisions of Division 4 (Signs) of the Development Standards, within residential zoning districts, 1 on-site** identification [of the address and logo no greater than 2 square feet in size distinctive to a particular child care facility used as a public convenience in identifying the site for the public shall be] **sign of not more than 6 square feet in size is** permitted.

5. If the facility's structure is located within the historic district, then design and material shall require review and approval by the HRC.

6. Open Space. Open space **as required by the applicable State licensing agency must be provided and shown on the plans.** *[Requirements shall be designated and regulated by the Carson City health department prior to approval of the special use permit.]*

7. Interior Space Requirement for Children. **Interior space as required by the applicable State licensing agency must be provided and shown on the plans.** *[The interior space requirements shall be designated and regulated by the Carson City health department prior to approval of the special use permit.]*

[Staff note: The Carson City Health Department does not regulate child care facilities.]

8. Child care facilities may be established in the [general industrial (GI) zoning district] **General Industrial (GI) and General Industrial Airport (GIA) zoning districts** only as an accessory use to a permitted primary use.

9. In residential zoning districts, a child care facility may only be established as an accessory use to the residential use of the structure, and the residence must be occupied by the operator as a primary residence.

[Staff note: Chapter 18.11 (Child Care Facilities) contains the purpose statement for child care facilities standards but is otherwise unnecessary. The required permits for child care facilities are identified in Chapter 18.04 (Use Districts). Staff recommends including the purpose statement in this section and deleting Chapter 18.11. This will be included when the amendments to this section are brought back to the Planning Commission for action.]

(Ord. 2002-33 § 2, 2002; Ord. 2001-23, Development Standards).

1.7 - Bed and breakfast inn performance standards.

These bed and breakfast inn standards apply to the development of bed and breakfast inns within any zoning district.

The purpose of these bed and breakfast inn standards is to provide transient occupancy, lodging and limited meals, primarily within the historic district and also for also residential zoning districts in which they are permitted. The intent of these standards is to provide some economic incentives to the owners of qualifying homes while showcasing the unique beauty of the historic homes. Within the historic district, it is the further purpose of these standards to require safeguards to protect the architectural, residential and historic character of the neighborhood.

[Staff note: Purpose verbiage adapted from Chapter 18.13 (Bed and Breakfast Inns).]

The following performance standards shall be used in review of individual special use permit requests for bed and breakfast inn uses in addition to the other standards of this title.

1. The location, size, design and operation characteristics of the proposed bed and breakfast inn shall be compatible with and shall not adversely affect adjacent uses and residents. Consideration shall be given to:

[a.] **(a)** Harmony in scale, bulk, site coverage and density of all associated improvements and alterations;

[b.] **(b)** The availability of public facilities, services, and utilities;

[c.] **(c)** The effect upon desirable neighborhood character;

[d.] **(d)** The generation of traffic and the capacity and physical character of surrounding streets;

[e.] **(e)** The suitability of the site for the use which is proposed including available parking in relation to intensity of use;

[f.] **(f)** Other relevant impacts of the proposed use.

2. Parking. In all districts, 1 off-street parking space per guest room and 2 off-street parking spaces for the owner resident shall be required. On an individual basis, consideration may be given to off-premises and on-street parking as a part of the bed and breakfast inn special use permit.

Replacement of existing landscaping (including lawns and ground cover) with paving for parking use shall be avoided whenever possible.

Consideration shall be given to allowing parking within landscaped areas by utilizing paver stones, turf stones, decorative gravel, or other alternatives to asphalt or concrete paving.

3. Landscaping:

[a.] **(a)** Parking areas and exterior waste receptacles shall be screened by a [wooden] fence in conjunction with an earth berm and/or shrubbery. The combination of screening shall be at least 4 feet in height.

[b.] **(b)** In design of landscaped areas, consideration shall be given to retention of existing trees, harmony with setting and structure, strengthening of vistas and seasonal shade.

4. Signs. [This section shall apply exclusively to signs for bed and breakfast inns. Compliance with Division 4 (Signs) of the development standards shall not be required for a bed and breakfast inn business. The board finds and declares that an on-site sign to "advertise or promote" the business is not necessary. On-site identification of the address and a small logo distinctive to a particular inn used as a public convenience in identifying the site for guests shall be permitted.] **Notwithstanding the sign provisions of Division 4 (Signs) of the Development Standards, within residential zoning districts, 1 on-site identification sign of not more than 6 square feet in size is permitted.**

[a.] (a) The main performance criteria for bed and breakfast inn signs shall be design, materials and location which are compatible with the architecture, colors and materials of the subject residence and which enhances the character of the neighborhood.

[b.] (b) Within the historic district, signs for bed and breakfast inns shall be limited to 1 per establishment, not to exceed a cumulative total of 3 square feet in size and consisting of the name and address only. Any sign illumination shall be exterior to the sign and shielded so as not to glare upon an adjacent property or public right-of-way. Backlighting shall be prohibited. Siting shall be either on the structure or a fence, or shall be freestanding. If freestanding, the sign shall not exceed 3 feet in height. Design materials and colors shall be compatible with the style and detailing of the residence and shall require review and approval of the HRC.

[e.] (c) Outside the historic district, signs shall be approved on an individual basis at the time of special use permit approval. Regardless of the zoning district, signs shall be reviewed in terms of good design, compatibility with surrounding neighborhood, materials and identification as opposed to advertisement.

5. Number of Guest Rooms.

[a.] (a) A maximum number of 5 guest bedrooms shall be allowed.

[b. A minimum of 2 guest bedrooms shall be allowed.]

6. Ancillary Uses.

[a.] (a) The sale or display of merchandise or other commodities shall be prohibited unless allowed in the specific zoning district and the required public facilities, including parking, are provided.

[b.] (b) Except for personal use of the owner, private weddings, receptions, luncheons, cocktail parties and any other such functions for which the owner receives consideration for the use of the inn shall be regulated in frequency and manner by the special use permit. Such ancillary functions shall be sponsored by paying guests at the inn.

[e.] (c) Bed and breakfast inns which are located outside the historic district shall not be limited in the number of social functions, except as otherwise established in the zoning district, or by special use permit.

[d.] (d) Each owner who manages a bed and breakfast inn shall obtain a permit for the facility from the Carson City health department prior to the validation of a special use permit.

[e.] (e) The fire department shall inspect and approve all bed and breakfast inns prior to validation of a special use permit.

[Staff note: Chapter 18.13 (Bed and Breakfast Inns) contains process-oriented standards and will be considered with amendments to this section. The provisions of 18.13 are generally redundant and may be considered for elimination.]

(Ord. 2001-23, Development Standards).

1.8 - Satellite dishes and antennas.

Except as otherwise exempted by other provisions of this title or by State or Federal law, these satellite dishes and antennas standards apply to the placement of such equipment within any zoning district.

Satellite dish antennas exceeding [18] 39 inches in diameter are subject to the following conditions:

[Staff note: Per FCC regulations, satellite dish antennas less than 39 inches in diameter cannot be regulated for placement.]

1. Location and Placement.

[a.] **(a)** All antennas must be ground mounted. If ground mounting is not feasible, or special circumstances exist, an alternative location, such as roof mounting, may be approved subject to a special use permit.

[b.] **(b)** Shall not be located within any front or street side yard setback, nor visible from the front or street side property line.

[c.] **(c)** All cables and lines serving the antenna shall be located underground.

2. Height and Dimensions.

[a.] **(a)** In residential districts, the antenna shall not exceed 12 feet in height above grade and 10 feet in diameter.

3. Setbacks.

[a.] **(a)** The antenna shall set back from any side or rear property lines a minimum distance of 5 feet, or the applicable setback requirement for the respective use district in which it is located, whichever is greater.

[b.] **(b)** If lot is irregular in shape, or other special circumstances exist, a variance may be requested from the standards listed above.

4. Screening and Design.

[a.] **(a)** Satellite dish antennas shall be consistent in color with the surrounding natural or built environment.

[b.] **(b)** Non-residential satellite dish antennas located adjacent to residentially zoned property and which exceed 10 feet in diameter shall require screening in accordance with adopted Carson City standards.

(Ord. 2001-23, Development Standards).

1.9 - Wireless telecommunication facilities and equipment.

These wireless telecommunication facilities and equipment standards apply to the placement of such equipment within any zoning district. Regulations and standards set forth in this section are designed to address wireless telecommunication facilities and equipment used for the commercial broadcasting/receiving of transmissions regulated under the Telecommunications Act of 1996. Definitions for the various uses and terms referenced in this section are included in the Section 18.03 (Definitions). Electrical or mechanical equipment that creates video or audio interference in customary residential electrical appliances or causes fluctuations in line voltage outside the dwelling unit is prohibited.

1. Location and Placement Standards.

[a.] **(a)** Facilities and equipment shall be located according to the following priorities, (#1 is the most acceptable, #5 is the least acceptable):

(1) Concealed within an existing structure;

(2) Camouflaged or screened within an existing structure;

(3) Camouflaged or screened on an existing structure, particularly existing telecommunications facilities, utility poles and towers, water towers, and commercial, industrial or public facility buildings;

(4) Co-located with existing wireless communication service facilities;

(5) Erection of a new, freestanding facility subject to other requirements of this section and where visual impact can be minimized and/or mitigated.

[b.] **(b)** The applicant shall adequately justify the location proposed based on a consideration of the above priorities.

[c.] **(c)** Placement on existing structures shall not jeopardize the character and integrity of the structures as determined by the building and/or engineering department.

[d.] **(d)** If ground mounted, facilities and equipment shall not be located in the front yard portion of a parcel with an existing structure.

[e.] (e) Either the applicant or co-applicant must be a carrier licensed by the Federal Communications Commission and submit documentation of the legal right to install and use the proposed facility.

2. Height and Dimensional Standards.

[a.] (a) The height of the facility shall include any antenna, array or other appurtenances.

[b.] (b) Facilities shall not exceed 120 feet in height above grade. The applicant must provide a written justification for the proposed use and adequately demonstrate that the proposed height is necessary, including co-location opportunities. The applicant shall submit a report from an independent, accredited source providing justification for the proposed height or an alternative lower height.

3. Setbacks.

[a.] (a) All facilities, equipment and equipment shelters shall comply with the building setback provisions of the zoning district in which they are located.

[b.] (b) Roof mounted facilities shall be stepped back from the front facade in order to limit their impact on the building's silhouette and/or concealed, camouflaged or screened.

[e.] (c) Facilities and equipment shall be located no closer than 4 times the facility height from any residentially zoned property.

4. Design Standards.

[a.] (a) Ground mounted facilities and equipment not camouflaged by design, existing buildings or structures shall be screened according to adopted Carson City standards, including landscaping and screen walls.

[b.] (b) Facilities and equipment that are side mounted on buildings shall be consistent with the architectural style and color of the building on which it is mounted.

[e.] (c) Ground and roof mounted facilities shall be painted a non-glossy color that blends with the surrounding natural and built environment.

[d.] (d) Equipment shelters not placed underground shall be appropriately screened according to adopted Carson City standards.

[e.] (e) New, stand-alone facilities shall be designed to allow additional wireless service providers to co-locate antennas on the structure.

[f.] (f) The exterior of facilities and equipment shall not be lighted unless required by the Federal Aviation Administration (FAA) with the exception of manually operated emergency lighting.

[g.] (g) All ground mounted facilities and equipment shall be surrounded by a security barrier. The barrier shall contain adequate controlled access and be posted with a 1 square foot sign indicating the facility owner(s) and a 24-hour emergency telephone number.

[Staff note: Chapter 18.15 (Communications Facilities and Equipment) contains the process standards for these types of facilities. Staff will bring Chapter 18.15 forward for consideration concurrent with standards for this section. No changes to the process-oriented standards are recommended.]

(Ord. 2007-9 § 7, 2007; Ord. 2006-4 § 2 (part), 2006; Ord. 2001-23, Development Standards).

1.10 - Personal storage and metal storage containers.

These personal storage and metal storage containers standards apply to the use and placement of such containers within any zoning district.

Trends indicate that as communities continue to grow, the need for personal storage uses also increases. With the continued development of upscale subdivisions prohibiting on-site storage of vehicles or other items, personal storage facilities are becoming increasingly necessary. Commercial locations may also require additional storage in metal storage containers. The following [section sets forth criteria and standards for development of] **standards shall apply to** personal storage facilities and metal storage containers.

1. Personal storage facilities. [Storage:]

[1.] (a) A minimum of 60% of the lot's street frontage(s) shall be developed with retail and/or office space in the neighborhood business, retail commercial and tourist commercial (NB, RC and TC) zoning districts only.

[2.] **(b)** A sight-obscuring entrance gate and perimeter opaque fence or wall shall be provided to screen views of individual storage units.

[3.] **(c)** The architectural and site design of the retail/office building, storage units, perimeter fencing, lighting, and landscaping is subject to approval by the director. A metal pre-fabricated exterior office/retail building is prohibited.

[4.] **(d)** No business activities other than storage shall be conducted within individual storage units.

[5.] **(e)** Outside storage is prohibited except as expressly permitted in Title 18 or the development standards. Storage containers may be utilized in industrial districts to house storage items within them. Temporary storage containers are allowed at construction sites for a maximum of 30 days, or as approved by the director after review of the individual construction schedule.

[6.] **(f)** Additionally, storage units adjacent to residential ~~areas~~ **zoning districts** shall:

[a.] **(1)** Not exceed 14 feet in height (1 story);

[b.] **(2)** Have a minimum 20 foot landscape buffer and a solid 6 foot masonry wall located between the storage units and residential uses;

[c.] **(3)** Have limited hours of operation 7:00 a.m. to 7:00 p.m. unless otherwise approved by the planning commission; **and**

[d.] ~~Have a monument style sign not]~~ **(4) Not have a freestanding sign** exceeding 6 feet in height.

[7.] ~~Shared use parking shall not exceed 5% of total parking.]~~

[8.] **(g)** Must meet the definition as defined in CCMC 18.03.

[9.] **(2)** Metal storage containers ~~[, as defined in CCMC 18.03 is a fully enclosed unit, excluding semi-truck trailers, that house storage items and]~~ may be utilized in any industrial, public or commercial zoning district, excluding the ~~[neighborhood business]~~ **Neighborhood Business** (NB) zoning district, in conjunction with a permitted primary use of the property subject to the following use performance standards:

[a.] **(a)** Metal storage containers may be utilized on a temporary basis, for a maximum of 90 days, once in any calendar year, subject to the approval of the ~~[director]~~ **Director**.

[b.] **(b)** Within any industrial zoning district, the use of metal storage containers on a permanent basis is subject to the approval of the ~~[director]~~ **Director**.

[c.] **(c)** Within the commercial or public zoning districts, excluding the ~~[neighborhood business]~~ **Neighborhood Business** (NB) zoning district, the use of metal storage containers ~~[on a permanent basis beyond]~~ **for a period of more than** 90 days **within a calendar year** requires approval of a special use permit. No metal storage containers are allowed in the neighborhood business (NB) zoning district.

[d.] **(d)** The use of metal storage containers within the ~~[downtown commercial (DC)]~~ **Downtown Mixed-Use (DTMU)** zoning district also requires approval by special use permit ~~[and downtown design review approval pursuant to 18.07 and development standards Division 6]~~.

[e.] **(e)** Metal storage containers shall be used for storage purposes only **with no human occupancy** ~~[and no human occupation shall occur]~~. No alterations shall be made or allowed to the metal storage container including, but not limited to, doors, windows, electrical, plumbing, or connection of multiple containers unless factory built with those improvements. No storage shall be placed upon or above the metal storage container. Storage containers shall not be stacked upon each other.

[f.] **(f)** No hazardous materials shall be stored in metal storage containers. Metal storage containers shall not be sited in a manner to be detrimental to the public's health and safety.

[g.] **(g)** Metal storage containers shall be at building grade and located at the side or rear of the primary structure. Metal storage containers shall not occupy any required parking spaces, landscape areas, drive-aisles, firelanes, drainage courses, drainage easements, detention basins, or vehicular or pedestrian access ways. Metal storage containers shall not be permitted on vacant property.

[h.] **(h)** All metal storage containers shall be painted either to blend with the primary or adjacent structures or painted earth-tone colors to minimize visual impacts. Graffiti shall be removed in accordance with the city's graffiti ordinance. All metal storage containers in use shall be in a condition

free from rust, peeling paint, or other visible forms of deterioration. Metal storage containers shall be screened with chain link fencing with slats, concrete masonry unit (CMU) block walls and/or landscaping as approved by planning staff. Metal storage containers and their screening and landscaping shall be maintained in good repair. Any metal storage containers that are not maintained in good repair or that are dilapidated or dangerous, shall be repaired or removed, following an order to comply from the director.

- [i.] **(i)** Advertising is prohibited on the exterior of all metal storage containers.
- [j.] **(j)** The use of semi-truck trailers as storage containers is prohibited in all zoning districts.
- [k.] **(k)** The number of metal storage containers allows for a business is dependent upon the following list of factors:

- (1) Overall site placement;
- (2) Screening provisions;
- (3) Square footage of store or building;
- (4) Square footage of parcel;
- (5) Adjacency to residential zoning districts;
- (6) Length of stay of metal storage container;
- (7) Applicants justification/need for extra on-site storage for their business.

1. **A permit for a metal storage container shall be reviewed by the Director in 5-year increments for continued compliance with the storage container standards. The Director may require the removal of the storage container if the primary use of the property has changed or the container is in violation of any of the standards of this section.** [A metal storage container special use permit shall be reviewed in 5 year increments or at any time the principal property use changes, with a \$50.00 administrative service charge and noticing costs paid by applicant.

— m. Special use permit fees for metal storage containers as adopted by resolution of the board, shall be charged, collected and deposited with the planning and community development department.]

3. **Metal storage containers may be used in residential zoning districts subject to the following standards:**

(a) **Metal storage containers may only be placed in the side or rear yard area and must shall meet the location, placement and maximum permitted area standards for detached accessory structures contained in this title;**

(b) **All metal storage containers Metal storage container exterior walls shall be fully covered in building siding material to have the appearance of a permanent structure and shall be painted either to blend with the primary structure or painted earth-tone colors to minimize visual impacts, and shall be maintained rust-free with no peeling paint;**

(c) **A minimum lot area of 15,000 square feet is required for the placement of a metal storage container;**

(d) **(c) The maximum area of a metal storage container on a lot less than 1 acre shall be 200 square feet (typically 20 feet by 10 feet);**

(e) **(d) The maximum area of a metal storage container on a lot of 1 acre or larger shall be 400 square feet (typically 40 feet by 10 feet);**

(f) **(e) The maximum number of metal storage containers permitted is 1 per acre, excepting that parcels of more than 15,000 square feet but less than 1 acre may have 1 metal storage container;**

(g) **(f) Metal storage containers shall be used for storage purposes only with no human occupancy;**

(h) **(g) No storage shall be placed upon or above the metal storage container; and**

(i) (h) Storage containers may be placed on a hard surface in the front yard area on a temporary basis of up to 30 days, with approval from the Director, when used to store household goods during a construction or home remodeling project or when moving to or from the residence.

[Staff note: The requirement for a 5-year review of storage container permits (paragraph 1) provides no added value to the process, in staff's opinion. If there are circumstance where the Planning

Commission thinks a future review is warranted, it can be added as a condition to the special use permit. Also, it is unnecessary to state here (paragraph m) that application fees are collected.

From 18.03 (Definitions), “Metal storage container means a fully enclosed unit, excluding semi-truck trailers, that houses storage items in the industrial, commercial and public districts. In addition, used temporarily at a construction site.” Currently, the use of metal storage containers—also known as “conex boxes,” or shipping containers—are prohibited in residential districts, and the modification of metal storage containers for other uses (e.g. addition of windows, electricity, etc.) is expressly prohibited. Staff is proposing standards in a new subsection 3 for the use of metal storage containers within residential zoning districts. In staff’s opinion, metal storage containers have the same visual impacts as other types of storage shed structures. When properly maintained, they can be less obtrusive to adjacent properties than other types of storage buildings that are currently permitted.]

(Ord. 2006-4 § 2 (part), 2006: Ord. 2002-40, Development Standards: Ord. 2001-23, Development Standards).

1.11 - Street vendors.

The following minimum standards shall apply to all requests for street vendor permits.

1. **Approval of a street vendor permit shall be for a specific location.** *[Street vendors shall be approved at a specific, permanent location].*

2. Carts used for street vending shall be on wheels and the carts shall not be larger than 3 feet by 5 feet, excluding appurtenances.

3. Only consumable products may be sold from a street vendor cart.

4. If located within a city or state right-of-way, an encroachment **permit is** *[permits and liability insurance shall be]* required. *[Staff note: The encroachment permit requires liability insurance, among other things.]*

5. If adjacent to or in front of a business not their own, the street vendor cart operator shall be responsible for obtaining permission of the affected business and property owner and shall submit written evidence of such permission.

6. If adjacent to or in front of a property listed in the Carson City historic district, review, approval and compliance with conditions of the HRC shall be required.

7. Electrical and gas services require review and approval of the building department and the fire marshall.

8. Approval of the health department is required for all food vendors.

9. Other conditions deemed appropriate by the commission or redevelopment advisory citizens committee, as applicable, may be required to mitigate any adverse impacts to adjoining properties and pedestrians.

(Ord. 2007-33 § 4, 2007: Ord. 2001-23, Development Standards).

1.12 - Outside storage.

These outside storage standards apply to outside storage on properties within any non-residential zoning district in which outside storage is a permitted, accessory or conditional use.

Outside storage requires the following:

1. Storage areas shall be enclosed by a one hundred percent (100%) sight obscuring fence or wall permanently installed and maintained by a minimum height of six (6) feet. No materials and/or equipment shall be stored therein to a height exceeding that of the wall or fence.

2. Storage areas allowed as an accessory use in a commercial or Limited Industrial zoning district shall not occupy more than twenty percent (20%) of the lot area unless a Special Use Permit is first obtained.

3. Storage areas shall not be located within any required yard setback, or parking areas nor shall they be located in any way which interferes with normal traffic flow onto, within or from the lot, or which impedes sight distance at intersections, or which otherwise impedes driver visibility. In the case of

gasoline service stations, storage areas shall not be permitted in the setback distance applicable to pump islands.

4. Outside storage is prohibited as a primary permitted use in the RC and GC districts.

5. Storage containers or other similar enclosures are allowed in the LI, GI, **GIA** and AIP districts, subject to approval of the Director. The storage containers themselves shall be screened from view from a public right-of-way by a one hundred percent (100%) site obscuring fence or wall six (6) feet in height (minimum).

(Ord. 2006-4 § 2 (part), 2006: Ord. 2001-23, Development Standards). ([Ord. No. 2008-33, § XIV, 9-4-2008](#))

1.13 - Fences, walls and hedges.

These fences, walls and hedges standards apply to properties within all zoning districts.

1. Fences, walls and hedges are a permitted use in all districts so long as such uses are consistent with health, safety and welfare of the community and in compliance with following regulations as outlined in this section. All retaining walls 4 feet or taller shall require a building permit. All block or masonry walls/fences 4 feet or taller shall require a building permit.

2. All fences and walls shall meet the requirements of the Building Code and Fire Code as currently adopted by Carson City.

3. Electrically charged or barbed fences are a permitted accessory use in CR, A, MH1A, SF5A, SF2A and SF1A districts. Such fences are a permitted accessory use in all other use districts **for security purposes** [only] with the prior written approval of the **Director** [director or his designee].

4. The height of a fence, wall or hedge shall be measured from the highest adjacent ground, either natural or filled, upon which it is located [~~, except within 15 feet of any front property line or within 30 feet of any street intersection, wherein all base measurements shall be considered from an extension of street grade.~~]. *[Staff note: This method of measuring fence height has not been applied consistently in the past and would be difficult to enforce.]*

5. A fence, wall or hedge not exceeding 6 feet in height may be located within any yard except as follows:

[a.] **(a)** No fences, walls or hedges exceeding 4 feet in height shall be permitted within a front yard setback or within 5 feet of the property line on the street side. When such fence is constructed of a sight-obscuring material, it shall not exceed 3 feet in height; and

[b.] **(b)** A maximum 5 foot tall split rail fence within SF5A, SF2A, SF1A and MH1A districts are not restricted by this section and may be located along or within the front yard or street side yard property line or setback; and

[c.] **(c)** No fences, walls or hedges exceeding 3 feet in height, which obstruct vision to any significant degree, shall be permitted within sight distance areas as defined in Section 18.03 (Definitions);

[d.] **(d)** For the purposes of this section only, picket fences, tight-railed fences, chain-link fences with slats, or wire fences with slats, are considered to be sight-obscuring.

6. The height of fences, walls or hedges, which in no way encroach upon setback requirements and conform with the Building Code as currently adopted by Carson City, shall be governed by building height restrictions for each use district.

7. Fences within setbacks may be permitted in excess of ordinance requirements by approval of a special use permit.

8. 6 foot high fences on flag lots may be located on the property line on all sides except portions of the parcel fronting on a public street must maintain a 10 foot setback for fences over 4 feet tall.

9. Driveway lots must maintain a sight distance area as defined in Section 18.03 (Definitions) measured from the property line intersection adjacent to the neighbor's driveway measuring a distance of 10 feet along both the common property line and along the street.

10. Where property lines may be in the center of the road, the boundary line for purpose of measuring setbacks are measured 30 feet from the centerline of the road with sight distance area requirements met in accord with Section 18.03 (Definitions).

11. When this title requires open storage to be screened by a fence or wall, the intent is to require items such as stacked materials to be screened, but not to require large equipment over 6 feet in height to be obscured by a fence or wall.

(Ord. 2006-4 § 2 (part), 2006: Ord. 2004-13 § 5, 2004: Ord. 2001-23, Development Standards).

1.14 – [Cornices, porches and projections] Encroachments into setbacks.

These encroachments standards apply to properties within all zoning districts.

1. Cornices, eaves, canopies, fireplaces, decks thirty (30) inches high or less, bay windows and similar architectural features, but not including flat walls, may extend into any required setback a distance not to exceed two (2) feet.

2. Uncovered porches may project not more than three (3) feet into any required side yard setback, and not more than six (6) feet into any required front or rear yard setback. Unenclosed covered porches with decks thirty (30) inches high or less may project into the front yard setback no more than eight (8) feet provided they are no less than five (5) feet from a front or street side property line; and do not impede sight distance area. [All construction must comply with the Building Code currently adopted by Carson City.]

3. Landing places, outside stairways, railings and guardrails may project not more than three (3) feet into any required front, side, street side or rear yard setback. Eaves over the encroaching landing places, outside stairways, railings or guardrails may extend, only over areas of encroachment, up to a maximum of three (3) feet into any required front, side, street side or rear yard setback.

(Ord. 2007-14 § 5, 2007: Ord. 2001-23, Development Standards). ([Ord. No. 2008-29, § IV, 8-7-2008](#))

1.15 - Manufactured home installation within a single family zoning district.

The following standards **shall apply to** ~~[shall be used in the review of and]~~ the placement of a manufactured home in a single family zoning district.

1. The manufactured home shall be permanently affixed to a residential lot and converted to real property. A foundation permit is required. Foundations are to be designed by a Nevada licensed engineer to meet Carson City's requirements for wind, snow and seismic zone.

2. The manufactured home shall be manufactured within 5 years immediately preceding the date on which it is affixed to the single family zoned residential lot.

3. The owner/owner's agent shall provide written and photographic documentation that the manufactured home shall have:

[a.] (a) Siding which is similar in color, material and appearance to the exterior siding primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.

[b.] (b) Roof pitch/slope, eaves and roof covering which is consistent with those roofs primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.

[c.] (c) Foundation that is masked architecturally with materials primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.

4. For the purpose of this chapter, the term "primarily" shall mean "51 percent" and the term "immediate vicinity" shall mean "within 300 feet" of the subject parcel, excluding commercial, multi-family and industrial development.

5. The manufactured home shall consist of more than 1 section.

6. The manufactured home shall consist of at least 1,200 square feet of living area.

7. The owner/owner's agent shall provide written documentation that the subject site is not located within:

[a.] (a) An "A" flood zone.

[b.] (b) The historic district as recognized by Carson City pursuant to NRS 384.005 and NRS 384.100

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8. The placement complies with all covenants, conditions and restrictions (CC&R's) of the subdivision where the manufactured home is proposed to be placed. The owner/owner's agent shall provide a copy of the CC&R's or written documentation of the non-existence of CC&R's within the subject area.

9. If there are no single family residential dwelling units in the immediate vicinity, a minimum 4:12 roof pitch/slope is required and a minimum eave length of 12 inches is required.

[Continued on next page]

CARSON CITY

RESIDENTIAL DISTRICT INTENSITY AND DIMENSION STANDARDS

Site Development Standards

Zoning Districts	Min. Parcel Area (Acres or Sq. Ft.)	Max. Density	Min. Lot Width (Feet)	Max. Lot Depth (Feet)	Max. Height (Feet)	Min. Setbacks (Feet) Front	Min. Setbacks (Feet) Side	Min. Setbacks (Feet) Street Side	Min. Setbacks (Feet) Rear
SF5A ⁽⁴⁾	5 AC	1 per 5 AC parcel	200 ⁽⁹⁾	N/A	40*	100	50	50	50
SF2A ⁽⁴⁾	2 AC	1 per 2 AC parcel	200 ⁽⁹⁾	N/A	32*	50	20	20	30
SF1A ⁽⁴⁾	1 AC	1 per 1 AC	120 ⁽⁹⁾	360 ⁽⁷⁾	32*	30	15	20	30
SF21 ⁽⁴⁾	21,000 SF	1 per 21,000 SF parcel	80 ⁽⁹⁾	240 ⁽⁷⁾	26*	20	10	15	20
SF12 ⁽⁴⁾	12,000 SF	1 per 12,000 SF parcel	70 ⁽⁹⁾	210 ⁽⁷⁾	26*	20	10	15	20
SF6 ⁽⁴⁾	6,000 SF 6,500 SF Corner	1 per 6,000 SF parcel/ 6,500 SF corner parcel	60 ⁽⁹⁾	180 ⁽⁷⁾ (+20 eul-de-sac)	26*	20 ⁽²⁾	5 ⁽²⁾	10	10 ⁽³⁾
MH6 ⁽⁴⁾	6,000 SF 6,500 SF Corner	1 per 6,000 SF parcel	60 ⁽⁹⁾	180 ⁽⁷⁾	26*	20	5	10	10 ⁽³⁾
MH12 ⁽⁴⁾	12,000 SF	1 per 12,000 SF parcel	70 ⁽⁹⁾	210 ⁽⁷⁾	26*	20	10	15	20
MH1A ⁽⁴⁾	1 AC	1 per acre	120 ⁽⁹⁾	360 ⁽⁷⁾	32*	30	15	20	30
MFD	6,000 SF	1 or 2 per 6,000 SF parcel	60 ⁽⁹⁾	150	26*	20	5 ⁽⁴⁾	10	10 ⁽³⁾
MHFA ⁽⁸⁾	6,000 SF	29-36; 1,200 SF of land area/1 bedroom units or studios and/or 1,500 SF of land area/2 bedroom or more units	60 ⁽⁹⁾	150	45*	20	10 ⁽⁴⁾⁽⁵⁾	15	20 ⁽⁵⁾
MHP	1 AC	N/A	N/A	N/A	N/A	10 ⁽⁶⁾	10 ⁽⁶⁾	10 ⁽⁶⁾	10 ⁽⁶⁾
RO ⁽⁴⁾	6,000 SF	7.26	60 ⁽⁹⁾	150	35*	20	10	15	20

Additional Requirements or Allowances:

*Additional height allowed by Special Use Permit.

(1) Only 1 main building or home is allowed per 1 parcel.

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- _____ (2) Varied setbacks are permitted in accordance with Division 1.17 of the development standards.
- _____ (3) All portions of a structure exceeding 20 feet in height must be a minimum of 20 feet from the rear property line.
- _____ (4) Side setback may be waived if 2 adjacent structures are subject to the latest adopted edition of the Uniform Building Code.
- _____ (5) For each story above 1 story, add 10 feet if adjacent to a single family district.
- _____ (6) Park perimeter only; see Division 10 of the development standards for interior space/setback requirements.
- _____ (7) Maximum lot depth is 3 times the minimum lot width except as necessary to meet minimum parcel size.
- _____ (8) Open Space. Each parcel of land must contain a single, continuous tract of land designated as an open area of not less than 150 square feet per dwelling unit, reserved exclusively for the common recreational use of the tenants on such parcel. 50 percent of the required common open space shall be softscape as listed in definitions. Only 25 percent of the total required open space requirement may be within an enclosed recreation facility. The required open space must not be contained within any of the required front yard or side yard setback abutting a street. In addition, there must be an open space area at least 100 square feet in size either contiguous to each dwelling unit for the exclusive use of the resident of that dwelling unit, or that space added to the requirements of this section.
- _____ (9) 54 feet minimum street frontage at the end of a cul de sac.]

[Staff note: See same table in 18.04.090. The table should be in one location and not duplicated.]

[Continued on next page.]

CARSON CITY

NON-RESIDENTIAL DISTRICT INTENSITY AND DIMENSION STANDARDS

Site Development Standards

Zoning Districts	Minimum Area (SF or AC)	Minimum Lot Width (Feet)	Maximum Lot Depth (Feet)	Maximum Height (Feet)	Minimum Setbacks (Feet) Front	Minimum Setbacks (Feet) Side	Minimum Setbacks (Feet) Street Side	Minimum Setbacks (Feet) Rear
RO	6,000 SF ⁴	60 ¹²	150	35 ⁺	20 ⁸	10 ⁵	15 ^{5,8}	20 ⁸
GO	6,000 SF ⁴	60	150	50 ⁺	15 ⁸	10	10 ⁸	20 ^{6,8}
NB	9,000 SF ⁴	75	N/A	26 ⁺	0 ^{7,8}	0 ⁷	0 ^{7,8}	0 ^{7,8}
RC	6,000 SF ⁴	50	N/A	45 ⁺	0 ^{7,8}	0 ⁷	0 ^{7,8}	0 ^{7,8}
GC	6,000 SF	60	N/A	45 ⁺	0 ^{7,8}	0 ⁷	0 ^{7,8}	0 ^{7,8}
TC	6,000 SF	60	N/A	45 ⁺	0 ⁸	0 ⁷	0 ⁸	0 ⁸
DC	6,000 SF	50	N/A	45 ^{1,2}	0 ^{8,9}	0 ⁹	0 ^{8,9}	0 ^{8,9}
LI	21,000 ⁴	100	N/A	32 ⁺	30 ^{8,10}	10 ^{10,11}	10 ^{8,10}	30 ^{8,10,11}
GI	12,000 SF ⁴	120	N/A	45 ⁺	30 ^{8,10}	0 ¹⁰	0 ^{8,10}	0 ^{8,10}
AIP	20,000 SF	100	N/A	45 ⁺	30 ⁸	20	20 ⁸	30 ⁸
CR	20 AC	300	N/A	40 ⁺	30	20	20	30
A	20 AC	300	N/A	40 ⁺	30	20	20	30
P	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³
PN/PC/PR	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³

Additional Requirements or Allowances:

1. Additional height allowed by special use permit.
2. In accordance with the restrictions outlined in the downtown master plan element for building heights of structures located within 500 feet of the State Capital.
3. Building height, building setbacks, minimum area, minimum lot width, and maximum lot depth to be determined by special use permit.
4. For each main structure.
5. Side setback may be waived if 2 adjacent structures are connected by a parapet fire wall.
6. Rear yard shall be increased by 10 feet for each story above 2 stories. Where the rear yard abuts a commercial district, the setback is zero feet.
7. Adjacent to Residential District, 30 feet is required. Corner lots require setback for sight distance.
8. Business Arterial landscape setback requirement = 10 feet (average).
9. Adjacent to Residential District, 10 feet required. Corner lots require setback for sight distance.
10. 50 feet adjacent to Residential District.
11. If Adjacent to Limited Industrial (LI) District, the side and rear yard setbacks may be reduced to zero subject to applicable building and fire codes.
12. 54 feet minimum street frontage at the end of a cul-de-sac.]

[Staff note: See same table in 18.04.095.]

13. Except in the CR, A, P, PN, PC and PR zoning districts, minimum area includes all common areas, parking, landscaping and building areas associated with a project for the purposes of creating building envelopes or condominium units where common access is provided to the project site. (Ord. 2007-33 § 3, 2007; Ord. 2004-10 § 2, 2004; Ord. 2003-20 § 2, 2003; Ord. 2003-13 § 2, 2003; Ord. 2001-23, Development Standards).

1.16 - Youth recreation facilities performance standards.

The following performance standards shall be considered in review of individual special use permit requests for youth recreation facilities with residential zoning districts in addition to other development standards.

1. Design and Development Standards.

[a.] **(a)** Lot size shall be a minimum of 3 acres.

[b.] **(b)** Youth recreation facilities within residential zoning district shall be located a minimum of one mile from other facilities or separated by Highway 395, Highway 50, or the freeway right-of-way.

[e.] **(c)** A facility for youth recreation should be designed to enhance the character of the surrounding neighborhood.

[d.] **(d)** The availability of public facilities, services and utilities **shall be considered**.

[e.] **(e)** The pedestrian, bicycle, and motor vehicle traffic generated by the facility and how it relates to the existing circulation plans shall be considered. Circulation patterns and pick-up/drop-off areas for users of the facilities shall be designed to minimize negative impacts to surrounding properties while providing safe and convenient pedestrian, bicycle, and vehicular traffic movements and access to the site.

[f.] **(f)** Landscaping should be designed to enhance the character of the surrounding area and shall include deciduous trees and a variety of decorative plantings and shrubs.

[g.] **(g)** Lighting shall be designed with residential character and shall be shielded to eliminate glare onto adjoining properties.

[h.] **(h)** All structures shall meet a minimum setback of 50 feet from adjacent residential property lines. Active outdoor recreation use areas such as ball fields, courts, and play equipment shall be setback a minimum of 25 feet from adjacent residential properties.

[i.] **(i)** Fencing and/or screening shall be located along the perimeter of the site abutting residential properties. Fencing/screening should be sufficient to minimize noise and visual impacts to adjacent properties.

[j.] **(j)** Loading and unloading areas shall be located at or near the rear of the building and away from and/or screened from adjacent streets and abutting residential properties.

2. Operational and Program Standards.

[a.] **(a)** Programs designed for the users may include but not be limited to leadership programs, education and career guidance, health and life skills, arts, sports, fitness, recreation and specialized programs.

[b.] **(b)** Programs should be scheduled at times that noise will not be a problem for surrounding areas.

[e.] **(c)** Hours of operation shall be such that indoor activities and programs are completed 10:00 p.m. weekdays and 11:00 p.m. weekends. Outdoor activities shall be completed by 9:00 p.m. weekdays and 10:00 p.m. on weekends.

[d.] **(d)** The facility shall have a minimum of 1 instructor, with appropriate training, per 20 youth.

(Ord. 2002-37, Development Standards).

1.17 - Multi-family apartment (MFA) development standards.

The following standards are intended to establish minimum standards for residential development within the Multi-Family Apartment (MFA) zoning district.

1. Maximum permitted density:

[a.] **(a)** For one-bedroom or studio units, one (1) unit per one thousand two hundred (1,200) square feet of area.

[b.] **(b)** For two (2) or more bedroom units, one (1) unit per one thousand five hundred (1,500) square feet of area.

2. Maximum building height: Forty-five (45) feet.

3. Setbacks:

[a.] **(a)** Front yard: Ten (10) feet, plus an additional ten (10) feet for each story above two (2) stories; minimum driveway approach from property line to garage doors is twenty (20) feet.

[b.] **(b)** Side yard: Ten (10) feet for external project boundaries; minimum ten (10) feet between residential structures for internal setbacks. Where a side yard is adjacent to a single-family zoning district, an additional ten (10) feet is required for each story above one (1) story.

[c.] **(c)** Street side yard: Ten (10) feet, plus an additional five (5) feet for each story above two (2) stories; minimum driveway approach from property line to garage doors is twenty (20) feet.

[d.] **(d)** Rear yard: Twenty (20) feet. Where a rear yard is adjacent to a single-family zoning district, an additional ten (10) feet is required for each story above one (1) story.

4. Required parking: Two (2) spaces per dwelling unit; and in compliance with the Development Standards Division 2, Parking and Loading.

5. Open Space:

[a.] **(a)** For Multi-Family Residential development, a minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.

[b.] **(b)** For Multi-Family Residential development, a minimum of 100 square feet of additional open space must be provided for each unit either as private open space or common open space.

[c.] **(c)** For Single-Family Residential development or Two-Family Residential development, a minimum of 250 square feet of open space must be provided for each unit either as private open space or common open space.

[d.] **(d)** Front and street side yard setback areas may not be included toward meeting the open space requirements.

6. Landscaping. Landscaping shall comply with the Development Standards Division 3, Landscaping.

(Ord. 2007-14 § 6, 2007). ([Ord. No. 2008-37, § IV, 12-4-2008](#); Ord. No. [2017-15](#), § I, 7-6-2017)

1.18 - Residential development standards in non-residential districts.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for residential development within the Neighborhood Business (NB), Retail Commercial (RC), General Commercial (GC), Residential Office (RO) and General Office (GO) zoning districts.

1. Permitted uses. Residential uses are only allowed as permitted by Chapter 18.04, Use Districts, as a primary or conditional use in the applicable zoning districts.

2. Maximum permitted density. There is no maximum residential density within non-residential zoning districts subject to meeting the height, setback, parking and open space requirements of this chapter.

3. Maximum building height shall be the maximum height established by the zoning district in which the project is located.

4. Setbacks. Minimum setbacks shall be those established by the zoning district in which the project is located, subject to the following:

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[a.] **(a)** In the NB, RC, GC and GO zoning districts, a minimum setback of [twenty (20)] **30** feet is required adjacent to a residential zoning district, with an additional ten (10) feet for each story above one (1) story if adjacent to a single-family zoning district. *[Staff note: 30 ft. setback per 18.04.195.]*

[b.] **(b)** A minimum setback of ten (10) feet is required from the right-of-way of an arterial street as identified in the adopted Transportation Master Plan, excluding the Downtown Mixed-Use area.

5. Required parking: Two (2) spaces per dwelling unit; and in compliance with the Development Standards Division 2, Parking and Loading.

6. Open Space.

[a.] **(a)** For Multi-Family Residential development, a minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.

[b.] **(b)** For Multi-Family Residential development, a minimum of 100 square feet of additional open space must be provided for each unit either as private open space or common open space.

[c.] **(c)** For Single-Family Residential development or Two-Family Residential development, a minimum of 250 square feet of open space must be provided for each unit either as private open space or common open space.

[d.] **(d)** Front and street side yard setback areas may not be included toward meeting the open space requirements.

7. Landscaping. Landscaping shall comply with the Carson City Development Standards Division 3, Landscaping.

8. Special Use Permit review standards. Where a residential use is a conditional use within a given zoning district, the Planning Commission shall make two (2) of the following findings in the affirmative in the review of the Special Use Permit in addition to the required findings of Section 18.02.080 of the Carson City Municipal Code.

[a.] **(a)** The development is not situated on a primary commercial arterial street frontage.

[b.] **(b)** The development is integrated into a mixed-use development that includes commercial development

[c.] **(c)** The applicant has provided evidence that the site is not a viable location for commercial uses.

[d.] **(d)** The site is designated Mixed-Use Commercial, Mixed-Use Residential or Mixed-Use Employment on the Master Plan Land Use Map and the project meets all applicable mixed-use criteria and standards.

(Ord. 2007-14 § 7, 2007). ([Ord. No. 2008-37, § V, 12-4-2008](#); Ord. No. [2017-15](#), § II, 7-6-2017)

1.19 - Adult merchandise retail establishment performance standards.

The following performance standards are mandatory requirements in the review of business licenses for Adult Merchandise Retail Establishments.

1. The floor area devoted to material defined in "Adult Merchandise Retail Establishment" does not exceed up to five percent (5%) of the total display or retail floor area of the business or two hundred (200) square feet, whichever is less;

2. The material is available only for sale or lease for private use by the purchaser or lessee off the premises of the business;

3. The floor area devoted to material as defined in "Adult Merchandise Retail Establishment" is segregated by partition, separate entrance or otherwise obscured from casual observance by minors;

4. The floor area devoted to material defined in "Adult Merchandise Retail Establishment" is clearly signed to prohibit access to minors;

5. The floor area devoted to material defined in "Adult Merchandise Retail Establishment" is adequately staffed by persons over eighteen (18) years of age to assure monitoring of minors who may seek access to the restricted floor area;
6. The business does not advertise or hold itself out to the public in any way as being an adult merchandise retail establishment, whether by store window displays, signs or other means;
7. The business cannot be combined with any other area or business to result in an increase in the floor area devoted to this activity beyond the maximum specified in (1) above;
8. No product for sale or gift, picture or other graphic representation thereof, shall be displayed so as to be visible from the street or exterior of the building;
9. At the time of the business license request, the applicant shall provide a detailed site plan designating the proposed Adult Merchandise Retail Establishment area, as it relates to the total floor area of the business;
10. Adult Merchandise Retail Establishments established prior to November 7, 2007 which do not comply with the provisions of Division 1.19 Adult Merchandise Retail Establishment shall be deemed non-conforming and may continue to operate as approved by the criteria identified in their approved Carson City Business License.
11. Nonconforming Adult Merchandise Retail Establishments shall not relocate in Carson City unless the establishment comes into full compliance with the current code and development standards.
12. No Adult Merchandise Retail Establishment shall be located within one thousand (1,000) feet of any other Adult Merchandise Retail Establishment or Adult Entertainment Facility.
13. Location Criteria. Adult Merchandise Retail Establishments may be located only in Retail Commercial (RC), General Commercial (GC), Limited Industrial (LI), and General Industrial (GI) zoning districts and provided that the business comply with all performance standards.

(Ord. 2007-37 § 2, 2007). ([Ord. No. 2008-33, § XV, 9-4-2008](#))

1.20 - Medical Marijuana Establishments and Marijuana Establishments.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for Medical Marijuana Establishments and Marijuana Establishments, in addition to other standards for commercial and industrial development.

1. The following standards apply to all Medical Marijuana Establishments and Marijuana Establishments:

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

[b.] (b) The consumption of marijuana products is prohibited on the premises of any Medical Marijuana Establishment and Marijuana Establishment.

[c.] (c) All business activities related to Medical Marijuana Establishments and any marijuana cultivation facility, marijuana testing facility, marijuana product manufacturing facility or retail marijuana store must be conducted indoors and within a permanent building. The use of an office trailer or other

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temporary structure is prohibited. All Medical Marijuana Establishments and Marijuana Establishments must at all times maintain an interior and exterior appearance that is professional, orderly, dignified and consistent with the traditional style of pharmacies and medical offices.

[d.] (d) The outdoor display or sale of any Medical Marijuana Establishment or Marijuana Establishment merchandise or product is prohibited.

[e.] (e) Accessory outside storage for Medical Marijuana Establishments and Marijuana Establishments must comply with the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.12 (Outside Storage).

[f.] (f) Access to Medical Marijuana Establishment or Marijuana Establishment must comply with all applicable state ~~and federal~~ laws and regulations.

[g.] (g) Medical Marijuana Establishment and Marijuana Establishment merchandise and products must not be visible when viewed from outside the building in which the Marijuana Establishment or Marijuana Establishment is located.

[h.] (h) All signage for Medical Marijuana Establishments and Marijuana Establishments must be discreet, professional and consistent with the traditional style of signage for pharmacies and medical offices. All Medical Marijuana Establishments and Marijuana Establishments are limited to following signage:

(1) A maximum of 30 square feet of wall sign area.

(2) A maximum of 32 square feet of freestanding sign area.

(3) The maximum freestanding sign height for Marijuana Dispensaries and

Marijuana Retail Stores shall be determined by the applicable commercial or shopping center regulations of Division 4.

(4) The maximum freestanding sign height for all Medical Marijuana Establishments and Marijuana Establishments other than Medical Marijuana Dispensaries and Marijuana Retail Stores shall be 10 feet.

(5) Where a Medical Marijuana Establishment and Marijuana Establishment are jointly located on a single property, the maximum permitted sign area applies to the property and not each type of Establishment.

[i.] (i) Off-street parking must be provided for Medical Marijuana Establishments and Marijuana Establishments in accordance with the following:

(1) For Medical Marijuana Dispensaries and Marijuana Retail Stores: A minimum of one space for every 300 square feet of gross floor area.

(2) For Medical Marijuana Cultivation Facilities and Marijuana Cultivation Facilities: A minimum of one space for every 1,000 square feet of gross floor area.

(3) For Medical Marijuana Product Manufacturing Facilities and Marijuana Product Manufacturing Facilities: A minimum of one space for every 500 square feet of gross floor area.

(4) For Medical Marijuana Testing and Marijuana Testing Facilities: A minimum of one space for every 400 square feet of gross floor area.

[j.] (j) Notwithstanding any other provision of CCMC, not more than two Medical Marijuana Dispensaries are allowed to operate at the same time in Carson City.

[k.] (k) A Marijuana Retail Store may only be jointly located within the same premises of an existing Medical Marijuana Dispensary that is operating in good standing.

[l.] (l) A Medical Marijuana Establishment or Marijuana Establishment is prohibited within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12, or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, and any other center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, which already exists on the date the application for the proposed Medical Marijuana Establishment or Marijuana Establishment is submitted to the applicable state agency for approval to operate, as measured on a straight line from the property line of the nearest such school or facility to the front door or primary entrance of the Medical Marijuana Establishment or Marijuana Establishment.

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

[a.] **(a)** A single point of secure public entry must be provided and identified.

[b.] **(b)** Hours of operation are limited to between 7:00 a.m. and 8:00 p.m., daily.

[e.] **(c)** Drive-through service is prohibited.

[d.] **(d)** A Medical Marijuana Dispensary or Retail Marijuana Store is prohibited on any property, or within a shopping center with frontage, that is located on the same street on which a residentially zoned property is also located unless the dispensary or store is located more than 300 feet from the residential property, as measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the dispensary or store.

3. In addition to the required findings for a Special Use Permit, the following standards must also be considered in the review of a request for a Special Use Permit for a Medical Marijuana Dispensary or Marijuana Retail Store to be located within the General Industrial zoning district:

[a.] **(a)** That the proposed Medical Marijuana Dispensary or Marijuana Retail Store is located where sufficient, convenient and safe access is provided to the public.

[b.] **(b)** That the proposed location has adequate lighting and street improvements for a use providing public access.

(Ord. No. 2014-10, § IV, 7-3-2014; Ord. No. [2017-21](#), § VI, 10-5-2017, Ord. No. 2018-7)